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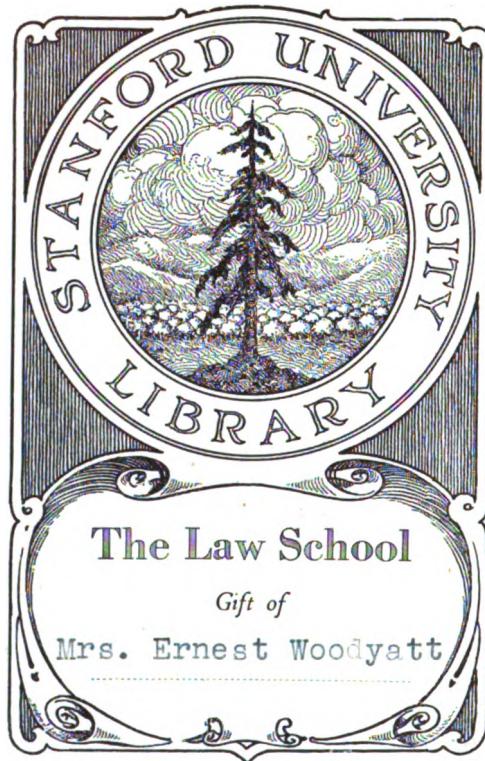
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L19244

# ACTS AND RESOLUTIONS

PASSED AT THE

## REGULAR SESSION

OF THE

# Twenty-Third General Assembly

OF THE

## STATE OF IOWA,

BEGUN JANUARY 13, AND ENDED APRIL 15, 1890.

PUBLISHED UNDER AUTHORITY OF THE STATE.

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## STATE GOVERNMENT, 1890.

*List of State Officers, Judges of the Supreme, District, and Superior Courts, and Members and Officers of the General Assembly.*

### EXECUTIVE DEPARTMENT.

NAME.	POSITION.	COUNTY FROM WHICH ORIGINALLY CHOSEN.
Horace Boies.....	Governor .....	Black Hawk.
A. N. Poyneer.....	Lieutenant-Governor .....	Tama.
J. T. Hamilton.....	Speaker House of Representatives .....	Linn.
Frank D. Jackson.....	Secretary of State.....	Butler.
C. S. Byrkit.....	Deputy Secretary of State.....	Appanoose.
James A. Lyons.....	Auditor of State .....	Guthrie.
D. F. McCarthy.....	Deputy Auditor of State .....	Mitchell.
Voltaire P. Twombly.....	Treasurer of State .....	Van Buren.
John Whitten.....	Deputy Treasurer of State.....	Van Buren.
Henry Sabin.....	Superintendent of Public Instruction .....	Clinton.
Ira C. Kling.....	Deputy Supt. of Public Instruction .....	Cerro Gordo.
George H. Ragsdale.....	State Printer .....	Plymouth.
†Otto Nelson.....	State Binder .....	Polk.
*George Greene.....	Adjutant-General .....	Linn.
*Mrs. Mary H. Miller.....	State Librarian .....	Polk.
*J. R. Sovereign.....	Commissioner of Labor Statistics.....	Cass.
*James J. Dunn.....	Inspector of Illuminating Oils.....	Dubuque.
*R. K. Soper.....	Fish Commissioner .....	Emmet.
*M. Stalker.....	State Veterinary Surgeon .....	Keokuk.
*Augustus C. Tupper.....	Dairy Commissioner .....	Jones.
*Prof. L. G. Weld.....	Superintendent Weights and Measures .....	Johnson.
Peter A. Dey.....	{ Railroad Commissioners.....	Johnson.
Spencer Smith.....		Pottawattamie.
Frank T. Campbell.....	Sec'y Board of Railroad Commissioners .....	Jasper.
W. W. Ainsworth.....	President State Board of Health.....	Polk.
P. W. Lewellen.....	Secretary State Board of Health.....	Page.
Dr. J. F. Kennedy.....	{ Commissioners of Pharmacy .....	Polk.
*H. K. Snider.....		Poweshiek.
*John H. Pickett.....	Secretary Commissioners of Pharmacy .....	Story.
*J. H. Harrison.....	{ State Mine Inspectors .....	Scott.
C. A. Weaver.....		Polk.
*Thomas Binks.....	Private Secretary to the Governor .....	Wapello.
*James Gildroy.....	Custodian of Public Property .....	Keokuk.
*Morgan G. Thomas.....		Mahaska.
*C. D. Ham.....		Dubuque.
*W. L. Carpenter.....		Polk.

\*Appointed by the Governor.

†Elected by the Legislature.

## JUDICIAL DEPARTMET.

## SUPREME COURT.

NAME.	POSITION.	COUNTY FROM WHICH CHOSEN.	POST-OFFICE ADDRESS.
James H. Rothrock.....	Chief Justice.....	Linn.....	Cedar Rapids.
Joseph M. Beck.....	Judge.....	Lee.....	Ft. Madison.
Gifford S. Robinson.....	Judge.....	Buena Vista.....	Storm Lake.
Charles T. Granger.....	Judge.....	Allamakee.....	Waukon.
Josiah Given.....	Judge.....	Polk.....	Des Moines.
John Y. Stone.....	Attorney-General.....	Mills.....	Glenwood.
Gilbert B. Pray.....	Clerk.....	Hamilton.....	Des Moines.
Christopher T. Jones.....	Deputy Clerk.....	Washington.....	Des Moines.
Ezra C. Ebersole.....	Reporter.....	Tama.....	Toledo.

## DISTRICT COURTS.

District.	NAME OF JUDGE.	COUNTY FROM WHICH CHOSEN.	POST-OFFICE ADDRESS.
1	J. M. Casey.....	Lee.....	Ft. Madison.
	C. H. Phelps.....	Des Moines.....	Burlington.
2	H. C. Traverse.....	Davis.....	Bloomfield.
	Dell Stuart.....	Lucas.....	Chariton.
	Charles D. Leggett.....	Jefferson.....	Fairfield.
3	John W. Harvey.....	Decatur.....	Leon.
	R. C. Henry.....	Ringgold.....	Mt. Ayr.
4	Charles H. Lewis.....	Cherokee.....	Cherokee.
	George W. Wakefield.....	Woodbury.....	Sioux City.
	Scott M. Ladd.....	O'Brien.....	Sheldon.
5	J. H. Henderson.....	Warren.....	Indiana.
	O. B. Ayers.....	Marion.....	Knoxville.
	A. W. Wilkinson.....	Madison.....	Winterset.
6	J. Kelley Johnson.....	Mahaska.....	Oskalossa.
	David Ryan.....	Jasper.....	Newton.
	W. R. Lewis.....	Poweshiek.....	Montezuma.
7	C. M. Waterman.....	Scott.....	Davenport.
	W. F. Brannan.....	Muscatine.....	Muscatine.
	Andrew Howat.....	Clinton.....	Clinton.
8	S. H. Fairall.....	Johnson.....	Iowa City.
9	W. H. Conrad.....	Polk.....	Des Moines.
	Marcus Kavanagh, Jr.....	Polk.....	Des Moines.
	Charles A. Bishop.....	Polk.....	Des Moines.
10	C. F. Couch.....	Black Hawk.....	Waterloo.
	J. J. Ney.....	Buchanan.....	Independence.
	D. J. Linehan.....	Dubuque.....	Dubuque.

## STATE GOVERNMENT.

v

## DISTRICT COURT—CONTINUED.

District.	NAME OF JUDGE.	COUNTY FROM WHICH CHOSEN.	POST-OFFICE ADDRESS.
11	D. R. Hindman..... John L. Stevens..... S. M. Weaver.....	Boone..... Story..... Hardin.....	Boone. Ames. Iowa Falls.
12	George W. Ruddick..... John C. Sherwin.....	Bremer..... Cerro Gordo.....	Waverly. Mason City.
18	L. O. Hatch..... W. A. Hoyt.....	Clayton..... Fayette.....	McGregor. Fayette.
14	George H. Carr..... Lot Thomas.....	Palo Alto..... Buena Vista.....	Emmetsburg. Storm Lake.
15	A. B. Thornell..... George Carson..... H. E. Deemer..... N. W. Macy.....	Fremont..... Pottawattamie..... Montgomery..... Shelby.....	Sidney. Council Bluffs. Red Oak. Harlan.
16	J. P. Conner..... J. H. Macumber.....	Crawford..... Ida.....	Denison. Ida Grove.
17	L. G. Kinne.....	Tama.....	Toledo.
18	S. D. Giffen..... J. H. Preston.....	Linn..... Linn.....	Marion. Cedar Rapids.

## SUPERIOR COURTS.

John T. Stoneman.....	Linn.....	Cedar Rapids.
J. E. F. McGee.....	Pottawattamie.....	Council Bluffs.
S. R. Davis.....	Union.....	Creston.
Henry Banks, Jr.....	Lee.....	Keokuk.

## TWENTY-THIRD GENERAL ASSEMBLY

OF THE

## STATE OF IOWA.

## SENATE.

District.	COUNTIES COMPOSING DISTRICT.	SENATORS.	POST-OFFICE ADDRESS.
42	Winneshiek, Howard.....	Bailey, A. K.....	Decorah.
18	Wapello .....	Ballingall, P. G.....	Ottumwa.
11	Warren, Clarke.....	Barnett, Jas. H.....	Indianola.
49	Lyon, Osceola, Sioux, O'Brien.....	Barrett, O. M.....	Sheldon.
36	Clayton.....	Bayless, F. D.....	Elkader.
24	Cedar, Jones.....	Bills, E. B.....	Durant.
34	Harrison, Monona, Crawford.....	Bolter, L. R.....	Logan.
43	Hancock, Franklin, Cerro Gordo.....	Brower, N. V.....	Garner.
17	Audubon, Dallas, Guthrie .....	Caldweld, T. J.....	Adel.
15	Marion, Monroe.....	Cassatt, Ed. R.....	Pella.
18	Cass, Shelby .....	Cleveland, W. F.....	Harlan.
41	Mitchell, Worth, Winnebago.....	Clyde, J. F.....	Osage.
31	Boone, Story.....	Davidson, D. B.....	Madrid.
9	Des Moines.....	Dodge, W. W.....	Burlington.
4	Lucas, Wayne.....	Dungan, Warren S.....	Chariton.
29	Jasper .....	Engle, Perry.....	Newton.
6	Adams, Taylor.....	Finn, Geo. L.....	Bedford.
47	Dickinson, Emmet, Clay, Palo Alto, Kossuth .....	Funk, A. B.....	Spirit Lake.
30	Polk .....	Gatch, C. H.....	Des Moines.
20	Muscatine, Louisa.....	Gobble, John M.....	Muscatine.
19	Pottawattamie .....	Groneweg, Wm.....	Council Bluffs.
36	Butler, Bremer.....	Hanchett, L. S.....	Waverly.
5	Union, Ringgold, Decatur .....	Harsh, J. B.....	Creston.
28	Jackson .....	Kegler, A. G.....	Bellevue.
25	Iowa, Johnson .....	Kelly, M. J.....	Williamsburg.
1	Lee .....	Kent, Wm. G.....	Ft. Madison.
32	Woodbury .....	Lawrence, J. S.....	Sioux City.
50	Buena Vista, Humboldt, Pocahontas .....	Mack, Edgar E.....	Storm Lake.
40	Allamakee, Fayette.....	Mattoon, L. B.....	Elgin.
14	Mahaska .....	McCoy, Ben.....	Oskaloosa.
27	Calhoun, Webster.....	McVey, J. D.....	Lake City.

## SENATE—CONTINUED.

District.	COUNTIES COMPOSING DISTRICT.	SENATORS.	POST-OFFICE ADDRESS.
46	Cherokee, Ida, Plymouth.....	Meservey, A. F.....	Cherokee.
28	Marshall .....	Mills, Wm. D.....	Marshalltown.
45	Tama, Benton.....	Mosnatt, J. J.....	Belle Plaine.
38	Grundy, Black Hawk.....	Parrott, Matt.....	Waterloo.
7	Fremont, Page .....	Perkins, G. W.....	Farragut.
16	Adair, Madison .....	Price, Richard.....	Winterset.
44	Floyd, Chickasaw .....	Reiniger, Rob't G.....	Charles City.
48	Greene, Carroll, Sac.....	Rich, Thomas.....	Glidden.
21	Scott.....	Schmidt, Wm. O.....	Davenport.
33	Delaware, Buchanan .....	Seeds, Ed. P.....	Manchester.
35	Dubuque .....	Shields, James A.....	Dubuque.
26	Linn .....	Smith, J. H.....	Cedar Rapids.
37	Wright, Hardin, Hamilton.....	Smith, Wm. C.....	Eagle Grove.
12	Poweshiek, Keokuk.....	Stewart, Joel.....	Grinnell.
8	Appanoose, Davis .....	Taylor, Wm. H.....	Bloomfield.
2	Jefferson, Van Buren .....	Vale, B. R.....	Bonaparte.
8	Montgomery, Mills.....	Weidman, Thos.....	Red Oak.
22	Clinton .....	Wolfe, P. B.....	De Witt.
10	Washington, Henry .....	Woolson, John S.....	Mt. Pleasant.

## OFFICERS OF THE SENATE.

*President*—A. N. Poyneer, Lieutenant-Governor, Montour, Tama county.

*President pro tempore*—A. F. Meservey, Cherokee, Cherokee county.

*Secretary*—W. R. Cochran, Bedford, Taylor county.

*First Assistant Secretary*—W. F. Carlton, Spirit Lake, Dickinson county.

*Second Assistant Secretary*—Charles Beverly, Jefferson, Greene county.

*Engrossing Clerk*—Nannie J. Stull, Keosauqua, Van Buren county.

*Enrolling Clerk*—Lou. E. Young, Sioux City, Woodbury county.

*Sergeant-at-Arms*—Peter Melendy, Cedar Falls, Black Hawk county.

*Postmistress*—Maud Murray, Winterset, Madison county.

## HOUSE OF REPRESENTATIVES.

District.	COUNTIES COMPOSING DISTRICT.	REPRESENTATIVES.	POST-OFFICE ADDRESS.
71	Fayette	Addie, Andrew	Brush Creek.
6	Decatur	Arnold, G. P.	Garden Grove.
75	Wright	Austin, J. F.	Clarion.
19	Jefferson	Ball, Geo. W.	Fairfield.
24	Keokuk	Beem, J. C.	What Cheer.
86	Cerro Gordo	Blythe, James E.	Mason City.
31	Pottawattamie	Briggs, Riley W.	Carson.
7	Ringgold	Brown, Wm.	Tingley.
16	Lucas	Byers, Harvey L.	Lucas.
67	Buchanan	Chamberlin, Wm. H.	Independence.
11	Mills	Chantry, A. J.	Malvern.
68	Hamilton	Chase, Daniel C.	Webster City.
58	Woodbury	Clarke, Willis G.	Sioux City.
76	Humboldt	Coyle, D. F.	Humboldt.
91	Howard	Cutting, Chas. D.	Riceville.
56	Crawford	Davie, Wm. A.	Dunlap.
89	Allamakee	Dayton, John F.	Waukon.
80	Plymouth	Dent, Wm. H.	Le Mars.
78	Buena Vista	Dobson, G. L.	Newell.
64	Hardin	Dolph, John	Eldora.
51	Marshall	Eckles, Charles	Marshalltown.
47	Jones	Eilers, Gerhard	Monticello.
65	Grundy	Ellis, P. B.	Grundy Center.
10	Fremont	Estes, F. M.	Sidney.
39	Poweshiek	Ewart, Mat	Ewart.
44	Cedar	Felkner, Wm. J.	Downey.
9	Page	Field, S. E.	Shenandoah.
45	Clinton	Gardiner, Geo. S.	Lyons.
28	Washington	Gardner, Samuel C.	Lexington.
87	Floyd	Gates, John	Marble Rock.
70	Clayton	Gilbert, Geo. L.	Monona.
48	Linn	Gitchell, Chas. G.	Walker.
88	Chickasaw	Glattly, Wm.	Lawlen.
59	Ida	Graeser, Bernard	Battle Creek.
48	Linn	Hamilton, Jno. T.	Cedar Rapids.
45	Clinton	Hart, Ed.	Wheatland.
54	Greene	Head, Albert	Jefferson.
26	Marion	Hendershot, I. B.	Otley.
43	Scott	Hipwell, Chas. G.	Davenport.
61	Calhoun	Hobbs, Edgar L.	Manson.
40	Iowa	Holbrook, N. B.	Marengo.
22	Louisa	Holiday, J. F.	Morning Sun.
1	Lee	Hornish, J. P.	Keokuk.
55	Carroll	Horton, Oliver	(Glidden.
81	Sioux	Hospers, Henry	Orange City.
3	Davis	Hotchkiss, L. D.	Bloomfield.
25	Mahaska	Jewell, Andrew J.	Oskaloosa.
90	Winneshiek	Jewell, Jacob	Decorah.
93	Worth	Jewett, Chas. F.	Polo Station.
72	Bremer	Johuston, J. M.	Sumner.
69	Dubuque	Johnston, Thos. W.	Dubuque.
69	Dubuque	Knoll, F. M.	Sageville.
15	Clarke	Kyte, F. M.	Osceola.

## HOUSE OF REPRESENTATIVES—CONTINUED.

District.	COUNTIES COMPOSING DISTRICT.	REPRESENTATIVES.	POST-OFFICE ADDRESS.
37	Polk.	Lane, B. B.	Maxwell.
85	Hancock and Winnebago.	Law, John.	Forest City.
41	Johnson.	Letovsky, J. M. Barta.	Iowa City.
5	Wayne.	Lewis, L. W.	Seymour.
74	Franklin.	Luke, John W.	Hampton.
84	Kossuth.	Lund, C. L.	Algona.
28	Madison.	Mack, J. H.	Macksburg.
43	Scott.	Marti, Christopher.	Long Grove.
52	Story.	McCarthy, C. G.	Nevada.
29	Adair.	McDermid, Peter.	Fontanelle.
83	Palo Alto, Emmet and Dickinson.	McFarland, W. M.	Estherville.
32	Harrison.	McGavren, J. K.	Missouri Valley.
77	Pocahontas and Clay.	Merceer, James.	Fonda.
49	Benton.	Mitchell, Lewis A.	Vinton.
94	Osceola and Lyon.	Monk, J. W.	George.
50	Tama.	Morison, James.	Traer.
14	Union.	Morrow, W. W.	Afton.
46	Jackson.	Nemmers, N. B.	La Motte.
68	Delaware.	Oakman, Wm. C.	Uniontown.
8	Taylor.	Paschal, C. M.	New Market.
70	Cherokee.	Potter, John F.	Quimby.
88	Jasper.	Powers, Samuel B.	Kellogg.
42	Muscatine.	Richman, Irving B.	Muscatine.
57	Monona.	Roe, F. F.	Castana.
83	Shelby.	Roundy, W.	Manteno.
13	Adams.	Russell, Ed. C.	Corning.
35	Guthrie.	Shipley, Ira R.	Yale.
53	Boone.	Smith, Allan.	Boone.
60	Sac.	Smith, Asa B.	Odeboldt.
21	Des Moines.	Smith, Ellison.	Danville.
92	Mitchell.	Smith, James A.	Osage.
18	Wapello.	Smith, James J.	Ottumwa.
73	Butler.	Soesbe, S. W.	Green.
20	Henry.	Steele, Samuel L.	Mt. Pleasant.
87	Polk.	Stewart, Wm. J.	Grimes.
2	Van Buren.	Tade, W. A.	Bonaparte.
36	Dallas.	Thornburg, T. A.	Linden.
66	Black Hawk.	Townsend, Edward.	Cedar Falls.
27	Warren.	Van Gilder, S. J.	Milo.
4	Appanoose.	Walden, M. M.	Centerville.
34	Audubon.	Walker, Wm.	Exira.
31	Pottawattamie.	Ware, Wm. H.	Council Bluffs.
30	Cass.	Wilson, Silas.	Atlantic.
62	Webster.	Woods, Isaac L.	Ft. Dodge.
82	O'Brien.	Wyman, Herbert B.	Sheldon.
12	Montgomery.	Yergey, John W.	Sciola.
17	Monroe.	Young, Josiah T.	Albia.

## OFFICERS OF THE HOUSE.

*Speaker*—J. T. Hamilton, Cedar Rapids, Linn county.

*Speaker pro tem*—Silas Wilson, Atlantic, Cass county.

*Chief Clerk*—H. S. Wilcox, Des Moines, Polk county.

*First Assistant Clerk*—J. A. Shelton, Ames, Story county.

*Second Assistant Clerk*—W. H. Robb, Creston, Union county.

*Engrossing Clerk*—Miss Olive Conger, Seymour, Wayne county.

*Enrolling Clerk*—Miss Lucy Parsons, Knoxville, Marion county.

*Sergeant-at-Arms*—S. P. Zenor, Boone, Boone county.

*Assistant Postmistress*—Miss Grace L. Martin, Guthrie county.

## COMMISSIONERS IN OTHER STATES.

*List of Commissioners for Iowa in other States, qualified to act as such this 1st day of June, 1890, whose terms of office will not expire prior to July 5, 1890, published as required by section 274 of the Code of 1873, showing their name, post-office, date of commission, qualification, and expiration of commission.*

## CALIFORNIA.

NAME.	POST-OFFICE.	DATE OF TAKING EFFECT OF COMMISSION.	DATE OF EXPIRATION OF COMMISSION.
George T. Knox.....	San Francisco.....	April 9, 1888	April 9, 1891
M. T. Owens.....	May 10, 1888	May 16, 1891	
James E. Mills.....	Sacramento.....	Aug. 3, 1888	Aug. 3, 1891
James L. King.....	San Francisco.....	Feb. 7, 1889	Feb. 7, 1892
C. E. Slosson.....	Montravia.....	June 1, 1889	June 1, 1892
Jacob G. Shoup.....	Pasadena.....	Oct. 3, 1889	Oct. 3, 1892
S. H. Merwin.....	Los Angeles.....	Jan. 11, 1890	Jan. 11, 1893
Frank R. Willits.....	Los Angeles.....	April 20, 1890	April 20, 1893

## CONNECTICUT.

Henry E. Taintor.....	Hartford.....	Dec. 13, 1887	Dec. 13, 1890
Wm. A. Wright.....	New Haven.....	Aug. 9, 1888	Aug. 9, 1891

## DISTRICT OF COLUMBIA.

John E. Beall.....	Washington.....	June 21, 1889	June 21, 1892
R. H. Evans.....	Washington.....	March 5, 1890	March 5, 1893
Charles S. Bundy.....	Washington.....	May 5, 1890	May 5, 1893
W. W. Moffett.....	Washington.....	May 26, 1890	May 26, 1893

## ILLINOIS.

S. S. Willard.....	Chicago.....	Feb. 28, 1888	Feb. 23, 1891
Philip A. Hoyne.....	Chicago.....	July 3, 1888	July 3, 1891
Frank P. Crandon.....	Chicago.....	Sept. 25, 1888	Sept. 25, 1891
Simon W. King.....	Chicago.....	Sept. 2, 1889	Sept. 2, 1892

## LOUISIANA.

Meloney C. Soniat.....	New Orleans.....	May 16, 1888	May 16, 1891
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## MARYLAND.

G. Evett Reardon.....	Baltimore.....	July 15, 1887	July 15, 1890
J. Kemp Bartlett, Jr.....	Baltimore.....	Sept. 12, 1889	Sept. 12, 1892
Philip H. Hoffman.....	Baltimore.....	Jan. 25, 1890	Jan. 25, 1893

## COMMISSIONERS IN OTHER STATES.

## COMMISSIONERS IN OTHER STATES—CONTINUED.

## MASSACHUSETTS.

NAME.	POST-OFFICE.	DATE OF TAKING EFFECT OF COMMISSION.	DATE OF EXPIRATION OF COMMISSION.
James G. Harris.....	Boston.....	Feb. 7, 1888	Feb. 7, 1891
Edward J. Jones.....	Boston.....	Feb. 13, 1888	Feb. 13, 1891
Samuel Jenkinson.....	Boston.....	June 27, 1888	June 27, 1891
Daniel B. Whittier.....	Boston.....	Dec. 7, 1888	Dec. 7, 1891
Charles Hall Adams.....	Boston.....	Feb. 14, 1888	Feb. 14, 1892
John L. Coffin.....	Boston.....	April 3, 1889	April 3, 1892
Augustine H. Read.....	Boston.....	April 11, 1890	April 11, 1893

## MISSOURI.

Augustus L. Abbott.....	St. Louis.....	Sept. 8, 1888	Sept. 8, 1891
C. D. Greene, Jr.....	St. Louis.....	Dec. 7, 1888	Dec. 7, 1891
George S. Grover.....	St. Louis.....	June 22, 1889	June 22, 1892
Gilbert Elliott.....	St. Louis.....	Feb. 26, 1890	Feb. 26, 1893

## NEW YORK.

Simon Sternheimer.....	New York.....	July 25, 1887	July 25, 1890
Alexander H. Nones.....	New York.....	Aug. 20, 1887	Aug. 20, 1890
Charles H. Hooper.....	New York.....	Aug. 20, 1887	Aug. 20, 1890
Henry F. Glere.....	New York.....	Oct. 1, 1887	Oct. 1, 1890
Thomas B. Clifford.....	New York.....	Nov. 1, 1887	Nov. 1, 1890
George H. Corey.....	New York.....	Dec. 1, 1887	Dec. 1, 1890
Eleazar Jackson.....	New York.....	Dec. 12, 1887	Dec. 12, 1890
Frank W. Fullerton.....	New York.....	Feb. 10, 1888	Feb. 10, 1891
John A. Hillery.....	New York.....	Feb. 14, 1888	Feb. 14, 1891
Thomas W. Folsom.....	New York.....	April 13, 1888	April 13, 1891
Charles Taylor.....	New York.....	May 1, 1888	May 1, 1891
S. A. Emanuel.....	New York.....	May 25, 1888	May 25, 1891
Monroe Crannell.....	Albany.....	Aug. 3, 1888	Aug. 3, 1891
Ella F. Braman.....	New York.....	Aug. 10, 1888	Aug. 10, 1891
Charles Nettleton.....	New York.....	Aug. 18, 1888	Aug. 18, 1891
Charles L. Lunt.....	New York.....	Feb. 16, 1889	Feb. 16, 1892
Edwin T. Corey.....	New York.....	March 12, 1889	March 12, 1892
Frederick A. Burnham.....	New York.....	April 13, 1889	April 13, 1892
Wm. F. Lett.....	Brooklyn.....	April 23, 1889	April 23, 1892
Joseph B. Braman.....	New York.....	May 13, 1889	May 13, 1892
Emil Frenkell.....	New York.....	June 4, 1889	June 4, 1892
Charles Edgar Mills.....	New York.....	June 7, 1889	June 7, 1892
Albert H. Osborne.....	Brooklyn.....	July 2, 1889	July 2, 1892
Elias Lewis.....	Steuben.....	Sept. 14, 1889	Sept. 14, 1892
Walter L. S. Langerman.....	New York.....	Nov. 20, 1889	Nov. 20, 1892
Wm. Johnson.....	Buffalo.....	Jan. 17, 1890	Jan. 17, 1893
Rufus K. McHarg.....	New York.....	Feb. 11, 1890	Feb. 11, 1893
George H. Taylor.....	New York.....	April 14, 1890	April 14, 1893
Thomas Kilvert.....	New York.....	May 5, 1890	May 5, 1893

## NORTH CAROLINA.

J. F. Miller.....	Bethania.....	April 25, 1888	April 25, 1881
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## OHIO.

Lipman Levy.....	Cincinnati.....	Dec. 2, 1887	Dec. 2, 1890
Gabriel Netter.....	Cincinnati.....	March 5, 1888	March 5, 1891
Jos. T. Harrison.....	Cincinnati.....	Oct. 20, 1888	Oct. 20, 1891

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## OREGON.

NAME.	POST-OFFICE.	DATE OF TAKING EFFECT OF COMMISSION.	DATE OF EXPIRATION OF COMMISSION.
Eugene D. White.....	Portland .....	Jan. 2, 1888	Jan. 2, 1891

## PENNSYLVANIA.

Albert L. Wilson.....	Philadelphia.....	June 24, 1887	June 24, 1890
Edward H. Cloud.....	Philadelphia.....	Dec. 1, 1887	Dec. 1, 1890
Sam'l L. Taylor.....	Philadelphia.....	July 26, 1888	July 26, 1891
J. H. Wheeler.....	Philadelphia.....	Aug. 17, 1888	Aug. 17, 1881
Wm. F. Robb.....	Pittsburg .....	Sept. 25, 1888	Sept. 25, 1891
Theodore D. Rand.....	Philadelphia.....	Dec. 29, 1888	Dec. 29, 1891
John Sparhawk.....	Philadelphia.....	Jan. 14, 1889	Jan. 14, 1892
Edwin Shippen.....	Philadelphia.....	Jan. 14, 1889	Jan. 14, 1892
Wm. Jenks Tell.....	Philadelphia.....	March 12, 1889	March 12, 1892
Kinley J. Tener.....	Philadelphia.....	June 14, 1889	June 14, 1892
Chas. W. Sparhawk.....	Philadelphia.....	June 21, 1889	June 21, 1892
Thomas J. Hunt.....	Philadelphia.....	Dec. 16, 1889	Dec. 16, 1892
Alex. Ramsey.....	Philadelphia.....	Dec. 30, 1889	Dec. 30, 1892
George W. Hunt.....	Philadelphia.....	March 26, 1890	March 20, 1893

## RHODE ISLAND.

Gillman E. Jopp.....	Providence .....	Oct. 7, 1889	Oct. 7, 1892
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## VIRGINIA.

Wm. A. Hester.....	Halifax C. H.....	April 11, 1890	April 11, 1893
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## PART I.

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### GENERAL LAWS.

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LAWS  
OF THE  
TWENTY-THIRD GENERAL ASSEMBLY  
OF THE  
STATE OF IOWA.

PASSED AT THE REGULAR SESSION THEREOF, AT DES MOINES, THE CAPITAL OF THE STATE, BEGUN ON THE THIRTEENTH DAY OF JANUARY, AND ENDED ON THE FIFTEENTH DAY OF APRIL, A. D. 1890, IN THE FORTY-FOURTH YEAR OF THE STATE.

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PART I—GENERAL LAWS.

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CHAPTER I.

EXTENSION OF CITY LIMITS.

AN ACT to extend the Limits of Cities and for Other Purposes Incident Thereto. S. F. 172.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the boundaries of all cities in this state, Boundaries of certain cities extended. which had, by the state census of 1885, a population of thirty thousand or more, are hereby extended two and one half miles in each direction, from the present boundaries of said cities. Such extension being so made, as to leave the boundaries

hereby created in a perfected rectangle; that all the territory embraced within said extended boundaries, whether the same is contained in cities, incorporated towns or otherwise, shall be and become a part of the city and subject to its jurisdiction and authority; and that the corporate character of any annexed territory within the extended boundaries herein specified, shall cease and determine; provided, that if any one of such outside boundary lines, as extended by this act, shall **County lines.** come within two miles of a county line, such boundary line on such side shall extend only one and one half miles beyond the present boundary line of such city; provided, further, that nothing herein contained shall affect the rights of existing creditors, or present boundaries or existing conditions of school districts.

**Territory annexed exempt from former city debt.** SEC. 2. That all present indebtedness of each city, the boundaries of which are extended by this act, shall be paid by the city as it existed before the passage of this act; that none of the real estate or property embraced within the annexed territory, as created hereby, shall ever be subjected, in any way, to the payment of any part of said indebtedness, but the same shall be paid by a tax to be levied by the city authorities exclusively upon property subject to taxation within the city, as it existed prior to the passage hereof. That the indebtedness, if any, of each city or incorporated town, lying within the limits of the annexed territory shall be paid by such city or incorporated town; and the city council is hereby authorized and it is hereby made its duty to provide for the levy of taxes upon the property subject to taxation within the limits of such city or incorporated town, for the payment of the indebtedness of such city or incorporated town, and to continue such tax from year to year so long as the same shall be necessary for the payment of such indebtedness, and in no event shall property subject to taxation outside of the limits of such city or incorporated town be subjected to any tax for the payment of the present indebtedness thereof. Provided, however, that if any such cities or incorporated towns included within such annexed territory, now own any real estate, its present fair market value shall be credited upon its debt, and the amount of such credit shall be assumed and paid by the city as extended by the provisions of this act, and all property belonging to all incorporated cities or towns affected by this act, shall become the property of the city as enlarged hereby.

**Ten acre lots in certain cases not taxable for city purposes.** SEC. 3. No lands included within said extended limits of such city, which shall not have been laid off into lots of ten acres or less, or which shall not subsequently be divided into parcels of ten acres or less, by the extension of streets and alleys or otherwise, and which shall also in good faith be occupied and used for agricultural or horticultural purposes, shall be taxable for any city purpose, except that they may be sub-

jected to a road tax to the same extent as though they were outside the said extended limits, and which said road tax shall be paid into the city treasury.

SEC. 4. That, for the purpose of reorganizing the wards of <sup>Reorganizing</sup> ~~wards~~ said cities, the boundaries of which are extended by this act, the governor shall appoint six persons in each of such cities, and residents thereof respectively, three from each of the two principal political parties; who are hereby constituted commissioners for the purpose of re-districting such cities respectively into wards; said commissioners shall meet as a board, within six days from the taking effect of this act, having given at least three days' notice in one or more of the daily newspapers published in said city or cities, of the time and place of their meeting, and shall hear the arguments and suggestions of all who may desire to appear before them, as to the proper boundaries of the new wards, and after hearing such arguments, to such an extent as such commissioners may determine, they shall lay off the said city or cities, whose boundaries are hereby extended, into the same number of wards, as the city or cities may now have, with such boundaries as they shall prescribe; but said wards shall be laid off in a rectangular form as nearly as practicable, and making, so far as practicable, boundaries conform to the center of streets and with straight lines and so as to give each ward, as nearly as practicable, an equal population; said commissioners shall file and have recorded, the original order defining the boundaries of said wards, with the clerk of the district court of the county wherein the city is situate, and a copy or duplicate thereof, with the clerk of the city council, which he shall record. They shall also within the ten days after the appointment, for the purpose of holding the first election, hereinafter provided for, divide said wards into voting precincts, and appoint registers in <sup>Voting pre-</sup> ~~wards~~ <sup>cincts.</sup> each voting precinct to prepare and revise the lists of voters, using so far as applicable present registration and poll lists from which to make said lists; and they shall for that purpose sit on each week day for one week previous to said election. And said commissioners shall also appoint judges of election, and designate polling places in each voting precinct.

SEC. 5. In all cities affected by this act the regular municipal election shall be held on the first Monday in April, in the year 1890, and in each alternate year thereafter. At such election there shall be elected all elective officers for such terms and in such manner as now provided by law for cities of the first class. Said officers shall qualify within the time and in the manner now provided by law, and the terms of office of all officers in office prior to said first election in all such cities or towns shall cease and determine upon the organization of the new city council so elected. <sup>Election date.</sup>

Repealing clause.

SEC. 6. All acts and parts of acts inconsistent with this act are hereby repealed. Provided that nothing in this act shall be construed to effect pending litigation concerning the acts of the council of North Des Moines in regard to street pavement or any other litigation in existence at the time of the passage of this act.

Publication.

SEC. 7. This act, being deemed of immediate importance, shall take effect and be in force from and after the date upon which publication thereof is made in the daily Iowa State Register and in the daily Des Moines Leader, newspapers published at Des Moines, Iowa, the provision of section thirty-three of the Code to the contrary notwithstanding.

Approved March 13, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* March 14, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 2.

### BRIDGE FUND NOT APPLICABLE TO CERTAIN CITIES.

S. F. 113.

AN ACT to amend Chapter 16 laws of the Twenty-second General Assembly entitled: "An Act Granting Additional Powers to certain Cities of the First Class and to cities organized under Special Charters and Cities of the Second Class having over 7,000 inhabitants."

*Be it enacted by the General Assembly of the State of Iowa:*

Bridge fund  
not appli-  
cable to cities  
organized  
1887-90.

SECTION 1. That Section One (1) of Chapter 16 laws of the 22 General Assembly be and the same is hereby amended by adding after the last word in the last line thereof the following: And provided further that so much of this chapter as refers to the Bridge Fund, shall not apply to first class cities organized under the general incorporation laws of this state during the years between 1887 and 1890; nor to second class cities having a population of less than 10,000 by the census of 1885, nor to cities acting under Special Charters and having a population of less than 4000 by the census of 1885.

Approved April 11, 1890.

## CHAPTER 3.

## ASSESSMENT DISTRICTS IN CITIES OF FIRST CLASS.

AN ACT Conferring Additional Powers Upon certain Cities of the S. F. 381.  
First Class in Respect to Assessors.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the City Council of all cities of the first class which had by the State Census of 1885 a population of thirty thousand or more, shall have the power at any time to divide such cities, irrespective of township lines, into as many assessment districts as shall be necessary to insure the performance of the work of assessment within the time required by law, and one assessor shall be elected by the electors of the entire city for each of the assessment districts so fixed by the City Council at the regular municipal election hereafter to be held in such cities, as now provided by law.

SEC. 2. The City Council in such cities shall also have the power to fill vacancies that may occur, or that may now exist in the office of assessor in any assessment district now or hereafter created; and if any of the said districts as now or hereafter fixed by the City Council shall be found to be without an assessor, the City Council may appoint an assessor for such district, or districts, having the qualifications now provided by law, which appointee, after having qualified, shall perform all of the duties of such assessor until his successor is elected and qualified under existing laws.

SEC. 3. This act being deemed of immediate importance, shall take effect from and after its publication in the daily Iowa State Register, and Des Moines Leader, newspapers published at Des Moines the provisions of section 33 of the Code to the contrary notwithstanding.

Approved March 28, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 1, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 4.

## ISSUING AND PAYMENT OF BONDS—CITIES OF FIRST-CLASS.

H. F. 28. AN ACT to Authorize Certain Cities of the First Class to Issue Bonds and to Provide for Their Payment Principal and Interest.

*Be it enacted by the General Assembly of the State of Iowa:*

Cities organized since January 1885 may issue bonds.

SECTION 1. That Cities of the first Class organized as such under the general incorporation laws since January 1st A. D. 1885 shall have power and authority to issue, as may be ordered by the City Council, bonds for the purpose of funding, or refunding any subsisting legal indebtedness of said corporations outstanding at the date of the final passage of this act.

Interest.

SEC. 2. That all bonds issued under and by virtue of the provisions of this Act, shall draw a rate of interest not exceeding Six percentum per annum, payable annually or Semi-annually, and shall be issued in denominations of not more than One Thousand Dollars each; and having not more than thirty years to run, with principal and interest payable at such place as the City Council shall by resolution in ordering the issue of said Bonds, direct and provide.

Denomination.

SEC. 3. That all bonds issued under the provisions of this act, shall be issued pursuant to and in conformity with a resolution adopted by the City Council, which said resolution shall specify the purpose for which said bonds are to be issued, the rate of interest they shall bear, and whether payable Annually or Semi-Annually, the place where said principal and interest shall be payable, and when said Bonds shall become due and payable, and such other provisions in reference to said Bonds as to said City Council shall seem expedient and proper, and not inconsistent with the provisions of this act; which Resolution shall constitute a contract between the said City and the purchasers or holders of said Bonds, and said Resolution shall be entered of record upon the minutes of the proceedings of the City Council, and printed upon the back of the bonds to be issued.

Resolution by city council to specify purpose of bonds.

SEC. 4. That all bonds issued under the provisions of this act shall be sold to the highest bidder for cash, under the direction of the city council, and said bonds shall not be sold for less than their face value and accrued interest, and the proceeds of the sale of such bonds shall be applied and exclusively used for the purposes for which said bonds are issued.

Sec. 5. Said bonds shall be signed by the mayor and attested by the auditor or clerk, as the case may be, with the seal of the city affixed, and numbered consecutively; and the interest coupons attached thereto shall be signed by the auditor or clerk, as the case may be, and when said bonds have been so executed as aforesaid, they shall be delivered to the treasurer, who shall register the same in a book provided for that purpose, which register shall show the number of said bonds, their date, date of sale, amount, date of maturity, and the name and address of the purchaser; And the treasurer shall thereupon certify upon the back of said bonds as follows:—"This Bond duly and properly registered in my office this .... Day of ....., ...., City Treasurer." and the treasurer shall after such registration, deliver said bonds to the purchaser thereof, as shall be directed and ordered by the City Council.

Sec. 6. The City Council of all cities issuing bonds under and by virtue of the provisions of this act, shall cause to be levied each year upon all the taxable property of said city, in addition to the levy for other purposes a sum sufficient to pay the interest on bonds outstanding, issued under the provisions of this act, to accrue before the next annual levy.

Levy of additional tax to pay principal.

• SEC. 7. The city council of all cities issuing bonds under and by virtue of the provisions of this act, shall cause to be levied upon the taxable property of said city in addition to the levy for all other purposes as provided by law, a tax for the purpose of creating a fund for the payment of said bonds; which said levy shall be made at such time and in such manner that the fund to be derived therefrom shall be available and sufficient to pay said bonds at their maturity; and in accordance with the terms and provisions of the resolution of the city council under which said bonds are issued.

SEC. 8. That if the city council of any city which shall issue bonds under the provisions of this act, shall fail to make the levy necessary to pay the interest on said bonds, or for the payment of said bonds at maturity, in compliance with the resolution under which said bonds are issued, and any of said bonds or the interest coupons shall have been presented for payment and payment thereof refused, the owner of said bonds may in addition to any other remedies he may have in law or in equity, if he so elects, file the same together with all unpaid coupons with the Auditor of State, taking his receipt therefor, and the same shall be fully registered in the Auditor's office; and the Executive Council at their next session as a board of equalization, at the time of the levy of the State tax, and at each annual session thereafter, shall declare a levy upon the taxable property of said city, of a sufficient rate to realize the amount then due or to become due on said bonds, prior to the next levy, which shall be collected the same as the state

Payment by  
State Audit-  
tor.

tax, and paid into the State Treasurer; and placed to the credit of such city for the payment of said bonds and interest, and shall be paid to the persons entitled thereto upon the warrants drawn by the State Auditor, as shown by the bonds registered in his office, and when so paid the bonds and interest coupons shall be cancelled by the State Auditor, and returned by him to the Treasurer of the City issuing the same, who shall receipt to him therefor.

Publication.

Sec. 9. This Act being deemed of immediate importance shall take effect and be in force from and after its publication in the *Iowa State Register* and *Des Moines Leader* newspapers published at *Des Moines*, Iowa.

Approved March 25, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* March 28th and in the *Des Moines Leader* March 28th 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 5.

### SPECIAL TAX FOR GRADING STREETS.

S. F. 277.

**AN ACT** Authorizing, in certain cities, a special tax for the grading of streets.

Levy of ad-  
ditional tax  
to create  
street grad-  
ing fund.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That all cities of the first class incorporated under the general incorporation laws of the State of Iowa, whose population according to the census of 1875 was not less than Nineteen Thousand, are hereby authorized to levy in addition to the taxes which they are now empowered to levy, a special tax not exceeding three mills on the dollar on the assessed valuation of all the property in said City for the purpose of creating a fund for the grading of streets, and known as the grading fund.

Use restricted

SEC. 2. The money raised by the tax hereby authorized to be levied shall not be used for any other purpose than that hereby contemplated:

May antici-  
pate tax and  
borrow.

SEC. 3. It shall be competent for any city authorized by this act to levy such tax, to anticipate the collection thereof by borrowing money and pledging such tax for a period of not more than five years, and no tax shall be pledged until the expiration of said period whether levied or not, for the payment of the money so borrowed.

SEC. 4. This act being deemed of immediate importance <sup>Publication.</sup> shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines Iowa.

Approved April 10, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 16, and in the *Des Moines Leader* April 15, 1890.  
FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 6.

### CHANGE OF WATER COURSE THROUGH CITIES.

AN ACT authorizing cities to deepen, widen, straighter, wall-up, <sup>S. F. 144.</sup> cover, fill, alter, change or divert from its natural channel, and to conduct the same in artificial channels or into or through covered drains or sewers, to be constructed for the purpose, any water course or any part thereof, within the corporate limits of said cities, and to provide the manner in which the same shall be done, and to authorize the levy and collection of special tax, and the levy and collection of special assessments to defray the cost and expenses thereof.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That any city of the first class, of the state of Iowa, organized as such under the general corporation laws since the 1st day of January, A. D. 1885, shall have power to <sup>Power to</sup> ~~deepen, widen, straighten or change granted.~~ deepen, widen, straighten, wall-up, fill-up, cover, alter or change the channel of any water course, or any part thereof, flowing through the corporate limits of said city. Also to build and construct artificial channels, covered drains or sewers sufficient to carry the water theretofore flowing in any such water course, and to divert any such water course from its natural bed, channel or course, and to conduct the same into or through any such artificial channel, covered drain or sewer so constructed, and to fill up the channel of any such water course, the waters of which have been so diverted and changed.

SEC. 2. When any such city shall desire to avail itself of the powers hereinbefore granted, and the city council shall determine by resolution or otherwise to exercise any of such powers, they shall direct the city engineer to make the proper plans and specifications for the doing of such work and to prepare an estimate of the cost thereof.

SEC. 3. If said council on further examination and consideration of said plans and specifications, and of the expenses necessary to be incurred therein, shall still deem it advisable <sup>Special election may be called.</sup>

that any such work be done as proposed and contemplated, they shall call a special election in said city to determine whether said work shall be done, and also the question of raising or levying a special tax in addition to all other taxes now provided for by law for the purpose of paying the expenses thereof.

Council may extend time for collection.

Provided if the city council shall determine that the estimated cost of said work is greater than should be levied or collected in a single year, they may determine what proportion of the same shall be levied and collected each year and during what years the same shall be levied and collected. And the city council shall provide by ordinance or resolution the manner in which the voting of said special tax shall be submitted to the electors of said city.

Result of election if favorable.

Sec. 4. If at such election, the majority of the votes cast shall be in favor of doing said work and in favor of levying of said special tax the city council shall order the city engineer to make a survey of said stream or any portion thereof, so proposed to be widened, deepened, straightened, walled up, filled up, altered, changed or diverted, as the case may be; said plat or survey to show the condition, position, location, boundaries and course of said stream at the time of platting of said town site, as near as possible, and also its present condition, location, and course, and any changes that have occurred in the natural course of the stream since the platting of said town site, and said plat shall also show all the lots or tracts of land by their platted or legal description abutting on said original or present channels; also the names of all owners of said lots and lands so abutting on said stream, and the city engineer shall file said plat in the office of the city clerk and shall keep and retain a duplicate thereof in his office.

Five commissioners appointed.

Sec. 5. After said survey is made and filed, the city council shall appoint five commissioners, who shall be resident freeholders of said city, and not interested in any property abutting on said stream, so intended to be widened, changed, altered, walled up, filled up, straightened or diverted, who shall be sworn to faithfully and impartially perform the duties herein, or that may be required of them either by this act or any ordinance passed in pursuance hereof. The said commissioners so appointed shall have authority to proceed and determine what lot or lots, or lands abutting on said stream will be benefited or damaged, if any, by the doing of said work, and the amount of such benefit or damages, if any, as the case may be, which will accrue to or be sustained by each and every such lot or lots or parts of lots, or parcels of lands and the owners thereof, shall make report, in writing, of their findings and determination. In determining any question as to whether any benefits accrue to, or damages are sustained by such lot or lots or parcels of land, or owners thereof

Duty of commissioners.

To report in writing.

the said commissioners shall consider the amount of land reclaimed or lost, and the expense that will be incurred to the owners of said property, in the doing of said work, and the advantages, if any, accruing from the removal of the easement of said water course, and any other matter that said commissioners may deem proper to be considered in determining said question.

Provided, That no damages shall be awarded for the cost of the filling of said channel. Said commissioners shall give notice of the time and place of their meetings to determine what lot or lots and lands are so benefited or damaged, as the case may be, by publication thereof, at least five days successively, prior thereto, in some newspaper in general circulation in said city, and for the purpose of enabling them to determine, the same, may take evidence and listen to and receive any statement which any owner of property may see fit to make in reference thereto. After said commissioners shall so make their finding and determination to the city council, the said city council may approve, reject or modify the same.

Provided, That notice of the hearing before the said city council of said report of said commissioners shall be given by publication in a newspaper of general circulation in said city for five successive days, which last publication shall be ten days before such hearing. And if after said council shall hear said matter, they shall conclude to reject said report, they shall resubmit the matter of the determination of said benefits and damages to new commissioners, who shall proceed in the same manner as said original commissioners. If said city council shall approve or modify said finding of said commissioners they shall assess the amount of said benefits so found and determined against said abutting lot or lots or lands, and the said channel so to be filled up or reclaimed. Any person aggrieved by the action of the city council in making said assessments, shall have the right of appeal to the district court of the county in which said city is located, provided said appeal is taken within twenty days from said assessment, and shall also have the right to review said action of the city council in said district court, in the manner now provided by law.

Sec. 6. If such stream or any part thereof is proposed to be diverted from its course, and conducted through another or different channel, or through any covered drain or sewer, the city council shall have power to order said stream or any part thereof, thus abandoned, as a water course, to be filled up and if the same or any part thereof is not filled up by the owner or owners of said stream within such time as the city may by ordinance or resolution provide, the city council may proceed to let the work of filling said stream or any part thereof by

Time and  
place of com-  
missioners'  
meeting.

Hearing evi-  
dence.

Notice of  
hearing to be  
published.

Parties ag-  
grieved.

May order  
abandoned  
channel  
filled.

Contract to fill let by council.

contract, and the city council shall have power to assess the cost of filling up the remainder of the channel of said stream against said property abutting on said stream including that reclaimed therefrom, and against the owners thereof, in proportion to the number of cubic yards of fill required and made upon, against and in front of each of said lots or tracts, and the city council shall provide by ordinance or resolution, the manner of ascertainment of said cost and adopting and making said assessments the notice to be given to said owners of the time and place of making the same. And said city may provide by ordinance when said special assessments for benefits and for the expense of filling said old channel shall become due and payable, and whether in one payment or in installments and the rate of interest not exceeding six per cent per annum, said deferred payments shall draw, and may provide for the issue of improvement bonds, to be a lien on said property, and payable from the funds to be derived from said special assessments, all as provided in chapter 20, of the laws of the twentieth general assembly of Iowa, and acts amendatory thereof.

Assessment levied when work is completed.

Sec. 7. Such special assessments shall not be levied by the city council until said work shall be completed, they shall become delinquent at such time after the levy thereof as the city council may provide, shall constitute a lien against the lots and lands against which they may be assessed from the date of the resolution making the assessment, shall draw interest at a rate not exceeding six per cent per annum, and may be enforced against said lots and lands and the owners thereof in any manner provided by law or the ordinances of said city.

Interest.

The assessments when delinquent may be certified to the county auditor and by him placed on the tax books of the county wherein said city is situated, and the same shall be collected and paid over in the manner provided by law for the collection of state and county taxes, and said city is hereby authorized to become a purchaser at any sale made by the county treasurer for any such delinquent special assessments, and shall be entitled, if the same shall remain unpaid as by law provided, to receive a treasurer's tax deed for said property so sold and thereafter may sell and convey the same in any manner they may deem best and proper.

Sale of property.

Sec. 8. That all streets and alleys intersecting said old channel or stream opposite each other, shall be considered as projected from each side thereof and meeting in the center of said stream in such a manner as to make a continuous street or alley across the same, and if such street or alley is shown upon the present recorded plats as terminating on one side of said stream, the same shall be projected to the center thereof, and the expenses of filling all such streets and alleys shall be borne and paid by the city.

Relation of streets and alleys.

Sec. 9. If the title to the natural bed and banks of any stream or any portion thereof, after the same shall be diverted from its natural course and conducted through another channel or through any covered drain or sewer is in the public, or is in the corporation for the use of the public, then the said city shall have power to fill up the said channel so owned by the public, and pay the expenses thereof, and shall have power to sell and dispose of the same in any manner the city council may deem proper.

Sec. 10. Said cities are also hereby authorized to condemn and appropriate so much private property as shall be necessary to carry into effect any and all of the provisions granted or conferred by this act. When it shall be necessary for any such city to enter upon and condemn private property for any of the purposes herein enumerated, the proceedings to condemn the same and the compensation to be paid therefor shall be determined in the manner provided by sections 476 and 477 of chapter 10, of title 4 of the Code of 1873.

Sec. 11. After the report of the commissioners provided in section 5 hereof to the city council and the final action thereon by the city council as hereinbefore provided, the city council shall have authority to order said work of constructing said new drain, sewer or channel, or part thereof, to be done as provided and to levy said special taxes to pay the costs and expenses thereof. They shall have power to authorize different portions of said work to be done in different years successively, and in such case, shall levy only such portion of said special tax each year as that portion of said work ordered done in any one year bears to the whole of said work proposed to be done.

Sec. 12. The cost and expense of doing any of the work authorized by this act (except the cost of filling any old channel, to be assessed against abutting property hereinbefore provided), the compensation to be paid for private property condemned and appropriated therefor, and the damages which any person may sustain by reason thereof, or by reason of the change of said old channel as hereinbefore provided, shall be paid out of special tax hereby authorized to be levied; the levy and collection of special assessments for benefits upon lots and the lands abutting upon said old water course, as hereinbefore specified, and the special assessments, if any, which the city may make against any property adjacent to the street or alley on which said new sewer may be located and also from the proceeds of any sales as herein provided of said portion of said water course from which the water shall have been diverted and the title to which may be vested in the public, or in the corporation for the benefit of the public, and also by appropriations from the general funds of said city available for said purpose.

Sewer used  
by city.

SEC. 13. In case the new sewer as herein authorized, shall be constructed along any street or alley and shall be allowed by the city to be used as a sanitary or storm water sewer along the line thereof, then and in that case the city council shall have power to assess to the lots or lands adjacent to the line of such sewer, a portion of the cost of such sewer, not exceeding, however, in any event, the sum of two dollars per lineal foot of sewer, and if such assessment is made, the same shall be assessed and levied against adjacent property in the same manner as is now or hereafter may be provided by law, and the ordinances of any such city in which such sewer is constructed for the construction of sewers and the assessments of the costs thereof.

Collection of  
tax antici-  
pated.

SEC. 14. Said cities shall have authority in anticipation of the collection of said tax, to borrow money for the purpose of doing said work, and may issue its bonds therefor and shall have authority to provide by ordinance the manner of the issuing of the same, provided that the sums so borrowed by said city shall not exceed in any one year the total amount of said special tax actually levied at the time when any such loan shall be made.

Publication.

SEC. 15. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers printed and published in the city of Des Moines, Iowa, said publication to be made without expense to the state.

This bill having remained with the governor three days (Sunday excepted), the General Assembly being in session, has become a law this 18th day of April, 1890.

## CHAPTER 7.

### REMOVAL OF SNOW AND ICE FROM SIDEWALKS.

S. F. 252.

AN ACT to Amend Chapter 16 of the Acts of the Twenty Second General Assembly. Relating to Improvements of and Granting Additional Powers to cities of the First and Second Class.

*Be it enacted by the General Assembly of the State of Iowa:*

Provisions  
extended to  
cities of sec-  
ond class.

SECTION 1. That Section 1 Chapter 16 of the acts of the Twenty Second General Assembly, relating to the removal of snow and ice from sidewalks in cities organized under special charters, and cities of the First Class, and cities of the Second class, having over Seven Thousand inhabitants be

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amended by inserting the after the words "Period of Fifteen hours" in the Seventeenth line of said Section the words "Provided that the provisions hereof, relating to the removal of snow and ice from sidewalks, shall extend to and include all cities of the second class."

Approved April 15, 1890.

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## CHAPTER 8.

### FIRE DEPARTMENTS.

AN ACT to establish and maintain a Fire Department in Cities of S. F. 133.  
the second class.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That any city of the second class may levy a Tax of 1 mill tax of not more than one mill on the dollar, in addition to the authorized maximum tax now authorized by law, for the purpose of maintaining a Fire Department, and the money so raised shall constitute a fire fund and shall be applied to no other purpose.

SEC. 2. The City Council shall provide by ordinance, the <sup>Manner of disburse-  
ment.</sup> manner in which disbursements shall be made for the purchase of fire apparatus and services rendered by members of the Fire Department while engaged at any fire said bills to be audited and paid in the same manner as other bills, by the City Council.

Approved April 10, 1890.

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## CHAPTER 9.

### IMPROVEMENT OF STREETS.

AN ACT to Amend Chapter 20 of the Acts of the Twentieth General H. F 134.  
Assembly of Iowa, by Including Within the Provisions thereof  
Certain Cities of the Second Class.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That Chapter 20 of the Acts of the Twentieth <sup>Cities of sec-  
ond class in-  
cluded.</sup> General Assembly of Iowa be and the same is hereby amended by inserting after the figures "1881" and before the word "shall" in the second line of Section one thereof,

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the words "and cities of the second class having a population of more than ten thousand inhabitants according to the census of 1885" and by inserting after the word "first" and before the word "class" in the second line of Section Six of said Chapter the words "and second".

**Publication.** Sec. 2. This Act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader newspapers published at Des Moines, Iowa.

Approved April 5, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 10, 1890.

FRANK D. JACKSON, *Secretary of State.*

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## CHAPTER 10.

### CONSTRUCTION OF SEWERS.

**H. F. 216.** **AN ACT** to Extend to Cities of the Second Class Having More Than 3,000 Population the Provisions of Chapter 162. **Acts of the 17th General Assembly.**

*Be it enacted by the General Assembly of the State of Iowa:*

Cities of the second class included.

SECTION 1. Of Chapter 162, of the Acts of the 17th General Assembly is hereby amended, by inserting after the word "Class" in line 1, of Section 1, the words "and cities of the Second class having a population of three thousand and upwards according to the last preceding State or national census".

Approved April 30, 1890.

## CHAPTER 11.

## STREET RAILWAYS.

AN ACT conferring upon cities and Incorporated Towns certain additional powers relating to the construction of street railways and to define the motive power thereof. S. F. 25.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. All cities and incorporated towns, including ~~May author- ize or forbid~~ cities acting under Special charters, shall have the power to ~~construction~~ authorize or forbid the construction of street railways, within their limits, and may define the motive power by which the ~~Motive power~~ cars thereon shall be propelled, including animal—electricity, steam, or other power, whether now known or hereafter utilized.

SEC. 2. All ordinances or resolutions of such cities or incorporated towns heretofore enacted, granting to any person or company the right to propel its cars by electricity are hereby declared legal and valid. Provided that nothing in this act shall *effect* [affect] present or pending litigation or any vested rights. Certain rights legalized.

SEC. 3. This act being deemed of immediate importance Publication. shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader newspapers published at Des Moines Iowa.

Approved April 24, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 30, 1890, and the *Des Moines Leader* April 29, 1890.  
FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 12.

## FUNDING CITY INDEBTEDNESS.

H. F. 55. AN ACT to Amend Section One (1) of Chapter Seventeen (17), Laws of the Twenty Second General Assembly.

*Be it enacted by the General Assembly of the State of Iowa:*

~~Census of 1885 stricken out.~~ SECTION 1. That Section One (1) of Chapter Seventeen (17) of the Laws of the Twenty Second General Assembly be amended by striking out the words "census of 1885 in line 3 of said Section 1, Chapter 17, and inserting in lieu thereof the words, "last preceding census of the United States or of the State of Iowa."

Approved April 1st, 1890.

## CHAPTER 13.

## ISSUE OF WATER WORKS BONDS.

S. F. 200. AN ACT to repeal section one of Chapter Ten of the Laws of the Twenty Second General Assembly, and to enact a substitute therefor.

*Be it enacted by the General Assembly of the State of Iowa:*

~~Part repealed~~ SECTION 1. That section number one of chapter number ten of the laws of the 22nd General Assembly be and the same is hereby repealed, and the following enacted in lieu thereof:

~~Substitute.~~ Section 1. In all cases when a city of the second class, or an incorporated town, has determined, or hereafter may determine, to erect water works, to be owned and operated by the city or town, as provided for in section 471 of the Code, it shall be lawful for such city or town to issue its bonds to procure the money for such purpose to an amount not exceeding five per cent. upon the taxable property of such city or town, as shown by the last regular assessment thereof prior to the issuance of such bonds; but in no case shall the aggregate indebtedness of such city or town be increased by the issuance of such bonds,

~~Limit of bonds 5 per cent.~~

~~Aggregate indebtedness.~~

beyond the limit of indebtedness fixed by the constitution of the state; and no money procured upon the issue of such bonds shall be used for any other purpose than the erection of such water works. No such bond shall bear greater rate than six per cent. interest, nor shall be drawn to run more than twenty years.

Interest.

SEC. 2. This act being deemed of immediate importance, <sup>Publication.</sup> shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines Iowa.

Approved March 28, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 2, and *Des Moines Leader* April 1, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 14.

### PAVING, CURBING AND SEWER CONTRACTS.

**AN ACT** Making further provisions with respect to contracts by <sup>H. F. 75.</sup> cities organized under special charters for paving and curbing streets, and the construction of sewers and the making and collection by such cities of assessments and the issuance of bonds or certificates by such cities to pay for such improvements.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That all Cities in this State organized and existing under Special Charter, shall have all the powers and be subject to the provisions of this act.

SEC. 2. When the Council of any such City shall direct the paving and curbing of any street or streets, or the construction of any sewers, such Council or the Board of Public Works in case such Board shall exist, shall make and enter into contracts for furnishing materials, and for the curbing paving surface with any composition patented or otherwise or sewer ing as the case may be, either for the entire work in one contract or parts thereof in separate and specified sections as to them may seem best.

SEC. 3. All such contracts shall be made by the Council or the Board of Public Works when such Board shall exist, in the name of the City, and shall be made with the lowest bidder or bidders upon sealed proposals after public notice for not less than ten days in at least two newspapers of said City, which notice shall state as nearly as practicable the extent of

<sup>Contract for material.</sup>  
Contracts—  
how made.

the work, the kind of materials to be furnished, when the work shall be done, and at what time the proposals shall be acted upon.

Contractors' bond.

SEC. 4. Each contractor shall be required to give bond to the city with sureties to be approved by the Council, or by the Board of Public Works where such board shall exist, for the faithful performance of the contract, and the Council of such Board shall have power to institute suit in the name of the City to enforce all such contracts.

Engineer-duty of.

SEC. 5. It shall be the duty of the City Engineer to furnish the Council or Board of Public Works in case such Board shall exist, with proper grades and lines, and see that the work is done in accordance with the ordinances and regulations of the City, with respect to said grades and lines.

Provisions for payment of costs.

SEC. 6. For the purpose of providing for the payment of the cost and expenses of any such improvement or improvements, the Council or Board of Public Works in case such Board shall exist, shall be authorized from time to time as the work progresses, to make requisitions upon the Mayor of the City, for the issue of bonds of the City in such sums as shall be deemed best, and it shall be the duty of the Mayor to make and execute bonds accordingly in the name of the City, to an amount not exceeding the amount of the contract price of any such improvement and the incidentals attending the same. Said bonds shall bear the name of the place or places improved, and shall be signed by the mayor and countersigned by the City Clerk, or City recorder as the case may be and sealed with the corporation seal of the City, and shall all bear the same date and be payable seven years after date, and be redeemable at any time at the option of the city and shall bear interest at the rate of not exceeding six per cent per annum, payable semi annually.

Registration of bonds.

SEC. 7. When such bonds shall have been issued by the Mayor and sealed with the corporation seal of the city, they shall be delivered to the City Clerk or city recorder as the case may be, who shall register them in a book to be kept for that purpose and countersigned and then delivered to the Committee or person authorized to negotiate the same, taking receipt therefor.

Sale of bonds.

SEC. 8. Said Committee or person authorized to negotiate said bonds, shall negotiate the same in such manner as they, or he may deem best and for such prices as may be obtainable for the same not less the par, and shall pay all moneys received therefrom to the treasurer of the city, and report to the city clerk or city recorder as the case may be the number of bonds sold, and the amount received therefor, and before delivering the same to the purchaser said bonds shall be countersigned by the person or Committee authorized to negotiate the same.

SEC. 9. All moneys received by the City Treasurer from the sale of said bonds shall be kept by him in a separate fund, and paid out on requisition of the Council accompanied by affidavit of the City Engineer, that work has been done or material furnished to the amount of said requisition, and that it is required for the payment of the same, and all moneys received by said treasurer shall be kept in the same manner and subject to all the regulations regarding other money of the city, except he shall keep a separate account of same and all interest received upon the same shall be credited to such fund.

SEC. 10. When any such improvement shall have been completed, it shall be the duty of the Council to ascertain the entire cost of the improvement and also what portion of such cost, may be by law assessable on adjacent property and the portion of such cost so assessable, shall then be assessed as provided by law, or by ordinance of such city upon the property fronting, or abutting on said improvement. Whenever any street railway may have been constructed and shall remain upon any street which the Council may direct to be paved, at the time when such direction shall be given; and when the owner of such street railway may be bound to pave any portion of said street by any action of the city under Section 1 of Chapter 16 of the acts of the 22nd General Assembly, or by virtue of the provisions or conditions of any ordinance of the City under which said street railway may have been constructed, or may be maintained, and if the owner shall fail or refuse to comply with the order of the Council to do such paving, then the portion of the cost of paving such street, assessable upon such street railway, shall be ascertained, and shall be assessed against such street railway.

SEC. 11. The Council shall cause a plat to be made and filed with the City Clerk or city recorder as the case may be for Public inspection of the place or places on which such improvement shall be made showing the separate lots or parcels of ground, subject to assessment for such improvement, (and the names as far as practicable of the several owners, and the amount to be assessed against each lot or piece of ground, and if such improvement shall be the paving of any street, said plat shall also show any and all street railway tracks thereon, and the amount, if any, to be assessed against such street railway, and shall after the making and filing of said plat as aforesaid, cause to be given ten days public notice in two daily news papers, published in such city that such plat is on file in the office, of the City Clerk, or city recorder as the case may be for the inspection of any person or company interested therein, and that any such person or company having any objection to the same or the tax proposed to be assessed thereby, shall file with the said City Clerk, or city recorder as the case may be his or their objections in writing, at or before the next

## Hearing objections.

meeting of such Council, after the publication of such notice, that such Council at such meeting, or as soon thereafter as practicable and after hearing and deciding upon any objection so filed, if any, and after making all necessary corrections in the assessment as proposed by said plat, shall assess and levy as a special tax upon the property of each owner, liable to special assessments as aforesaid, its just and true proportion according to law, and according to said assessment proposed by said plat as corrected and approved of the amount to be specially assessed for any such improvement, said assessment shall be duly entered on the proper tax books of such city, and shall be payable at the office of the City Collector of said city, or other officer authorized to collect city taxes in seven equal installments with interest at the rate of six per cent per annum, from date of the assessment upon the unpaid portion thereof, the first of which with interest on the whole amount at six percent per annum shall be payable on and after the date of such assessment, as aforesaid, and the others annually, after the date of such assessment and said assessment shall be collected like other special taxes, as may be provided by the ordinance of such city.

## Payable in installments with interest.

Assessments on interest <sup>a</sup> a lien.

SEC. 12. Said assessment with interest accruing thereon, shall be a lien upon the property abutting upon the street or streets on which any said improvement is made, or upon such improvement from the commencement of the work, and shall remain a lien until fully paid, and shall have precedence over all other liens except ordinary taxes, and shall not be divested by any judicial sale, provided that such lien shall be limited to the lots or lands bounding or abutting on such street or streets, or on such improvement and not exceeding in depth therefrom 150 feet. Any assessment against any street railway for the paving of any street shall be at first and paramount lien upon the entire track of said street railway in the limits of the city making such assessments.

## Assessment may be paid at any time.

SEC. 13. The owner of any property against which an assessment shall have been made for the cost of any such improvement, shall have the right to pay the same in full, with interest thereon at six percent per annum, from the time said assessment was made, or after having paid one or more of said seven installments, and interest, he may at any time pay in full the balance of his assessments remaining unpaid, with interest theron at six percent per annum, from the time when the preceding payment becomes due, and such payment in full shall satisfy and discharge the lien upon said property, and any owner of such property who shall divide the same so that the feet front on any such improvement are divided into separate lots or parcels may discharge the lien in like manner upon any one, or more of such lots or parcels by payment of the amount unpaid thereon calculated, by the ratio of feet front

of such lot or lots or parcel or parcels to the feet front of the whole lot. If any assessment shall have been made against any street railway for the paying of any street, the owner of said street railway shall have the same rights as are hereinbefore provided to pay in installments, or to pay in full, the assessment against said street railway; but no part of the line of said street railway shall be released from the lien for any portion of any unpaid assessment which may have been made against it for paving any street as aforesaid.

Same rights to street rail-ways.

Sec. 14. All moneys received from assessments shall be appropriated to the payment of the interest or payment and redemption of the bonds, or of the certificates hereinafter provided for as the case may be, that shall be issued for such improvements, and if any interest shall become due on any of said bonds, when there is no fund to pay the same, the Council shall be authorized to make a temporary loan for the payment thereof.

Use of money received.

Sec. 15. If by reason of the prohibition contained in Sec. 3, Article 11, of the Constitution of this State, it shall at any time be unlawful for any such city to issue bonds as by this act, provided or for any other reason or reasons at the discretion of the council it shall be lawful for such city to provide by ordinance for the issuance of certificates to contractors, who under contract with the city, shall have constructed any such improvement in payment therefor, each of which certificates shall state the amount or amounts of one or more of the assessments, made against an owner or owners, and lot or lots, or street railway, on account of and for payment of the cost of any such improvement, and shall transfer to the contractor and his assigns all of the right and interest of such city to, in and with respect to every such assessment, and shall authorize such contractor and his assigns, to receive, sue for, collect or have collected every such assessment, embraced in any such certificate by, or through any of the methods provided by law, for the collection of assessments for local improvements including the provision of this act.

Cases prohibited by constitution.

Sec. 16. Whenever the owner or owners of any lot or lots, or any street railway, the assessment or assessments against pay, which is or are embraced in any such certificate, shall severally promise and agree in writing endorsed on such certificate, that in consideration of having the right to pay his or their assessment or respective assessments in installments, they will not make any objection of illegality or irregularity as to their respective assessments, and will pay the same with interest thereon, at such rate not exceeding six per cent per annum, as shall by ordinance or resolution of the City Council of such city be prescribed and required, he or they shall have the benefit and be subject to all the provisions of this act authorizing the payment of assessments in annual installments,

Agreement in writing to pay.

relating to the lien and collection and payment of assessments so far as applicable.

Failure to promise in writing.

Sec. 17. Any owner of any lot or lots, or any street railway assessed for payment of cost of any such improvement, who will not promise and agree in writing as provided by Sec. 16, hereof shall be required to pay his assessment in full when made, and the same shall be collectible by or through any of the methods provided by law for the collection of assessments for local improvements including the provisions of this act.

Mistakes.

Sec. 18. Any mistake in the description of the property, or in the name of the owner shall not vitiate the lien.

Owners must petition.

Sec. 19. The Council of any such city shall not have the right to authorize any improvement under this act, unless the owners of a majority of the feet front of the property abutting upon the street or streets to be improved, or any such improvement shall petition therefor, or unless the same shall be voted for by three fourths of the members of the Council.

Parts of street.

Sec. 20. Any part of any street may be improved under this act, as well as an entire street.

Repealing clause.

Sec. 21. All acts and parts of acts in conflict with this act, are hereby repealed provided nothing herein contained, shall be construed as prohibiting or preventing such cities, from making special assessments to pay for the construction of sewers upon adjacent property, according to area, or from paying for such construction by any method of assessment, or any combination of methods now provided by law.

Publication.

Sec. 22. This act being deemed of immediate importance, shall be in force and effect, from and after its publication in the Iowa State Register, and Des Moines Leader, Newspapers published in Des Moines, Iowa.

Approved April 10, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 18, and the *Des Moines Leader* April 18, 1890.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 15.

### SPECIAL TAXES FOR IMPROVEMENT OF STREETS.

AN ACT Entitling Person Paying Special Taxes Assessed upon Real Estate for the Improvement of Streets in Cities Existing under Special Charters having a population of 20,000 under the Census of 1885 to be credited with the amount of such special tax so paid upon any general Road or Street Tax charged against them on account of same Real-Estate.

*Be it enacted, by the General Assembly of the State of Iowa:*

SECTION 1. That in all cities, existing under special charters, having a population of more than 20,000 under the census of 1885 whenever any real-estate may by ordinance be assessed with any special tax for the improvement of streets, then such real-estate, so specially assessed, and the special assessment upon which shall be paid, shall after such payment, be exempted from taxation for any general road or street tax which might thereafter be assessed against it for any year or years, so long as the amount of such general road or street tax against such property would not exceed the amount of such special tax: and to the amount of such special tax paid as aforesaid, such general road or street tax shall be considered as fully paid, satisfied and discharged.

Certain property exempt from general road tax.

Approved April 30, 1890.

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## CHAPTER 16.

### COMPENSATION OF MAYORS.

AN ACT to grant cities under special charter the power to fix the compensation of their mayors, and to legalize compensation heretofore paid to the mayors of such cities.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That cities incorporated under special charters are hereby granted the power to fix the compensation of their Mayors by ordinance of their respective City Councils, as follows:—In Cities of Ten Thousand population, such compensation shall not exceed Five Hundred (\$500.00) Dollars. In Cities

Cities may fix compensation of Mayors.

Amount limited to population of more than Ten Thousand and up to Fifteen Thousand population, according to the last preceding census, such compensation shall not exceed Seven Hundred and Fifty (\$7.50) Dollars. And in Cities of more than Fifteen Thousand and up to Twenty Thousand population, according to the last preceding census, such compensation shall not exceed One Thousand (\$1,000.0) Dollars per-annum. And for Cities over twenty thousand not to exceed \$1,500.00 per-annum, which amount shall be in full compensation of all services of such Mayor of every kind and character whatsoever connected with his official duties.

Certain payments legalized. SEC. 2. That in all cases where any such City has heretofore by ordinance or resolution of its City Council paid its Mayor compensation either as such Mayor or as Chief of Police of said City or otherwise, such payment is hereby legalized and made valid.

Publication. SEC. 3. This Act being deemed of immediate importance, shall take effect and be in force from and after its publication in the "Iowa State Register" and "Des Moines Leader," Newspapers published at Des Moines, Iowa.

Approved March 29, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 2, and *Des Moines Leader* April 1, 1890.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 17.

### JOINT RATES ON RAILWAYS.

H. F. 37.

AN ACT to Amend Chapter 28 of the Acts of the Twenty-Second General Assembly, giving authority for the making of rates for the transportation of freight and cars over two or more lines of railroad within this state and enlarging the powers and further defining the duties of the Board of Railroad Commissioners.

*Be it enacted by the General Assembly of the State of Iowa:*

Chap. 28 acts  
22 G. A. defined as to  
joint rates.

SECTION 1. That chapter 28 of the acts of the twenty-second general assembly be and the same hereby is amended as follows: That said chapter 28 of the acts of the twenty-second general assembly shall not be construed to prohibit the making of rates by two or more railroad companies for the transportation of property over two or more of their respective lines of railroad within this state, and a less charge by

each of said railroad companies for its portion of such joint Charges may be reduced on joint rates. shipment than it charges for a shipment for the same distance wholly over its own line within the state, shall not be considered a violation of said chapter 28 of the acts of the twenty-second general assembly, and shall not render such railroad company liable to any of the penalties of said act, but the provisions of this section shall not be construed to permit railway companies, establishing joint rates, to make by such joint rates any unjust discrimination between the different shipping points or stations upon their respective lines between which joint rates are established, and any such unjust discrimination shall be punished in the manner and by the penalties provided by Chapter 28 of the acts of the 22nd General Assembly.

Sec. 2. All railway companies doing business in this state shall, upon the demand of any person or persons interested establish reasonable joint through rates for the transportation of freight between points upon their respective lines within this state, and shall receive and transport freight and cars over such route or routes as the shipper shall direct. Car load lots shall be transferred without unloading from the cars in which such shipments were first made, unless such unloading in other cars shall be done without charge therefor to the shipper or receiver of such car load lots, and such transfer be made without unreasonable delay and less than car load lots shall be transferred into the connecting railway's cars at cost, which shall be included in and made a part of the joint rate adopted by such railway companies or established as provided by this act.

When shipments of freight to be transported between different points within this state are required to be carried by two or more railway companies operating connecting lines, such railway companies shall transport the same at reasonable through rates and shall at all times, give the same facilities and accommodations to local or state traffic as they give to inter-state traffic over their lines of road.

Sec. 3. In the event that said railway companies fail to establish through joint rates or fail to establish and charge reasonable rates for such through shipments, it shall be the duty of the board of railroad commissioners and they are hereby directed, upon the application of any person or persons interested, to establish joint rates for the shipment of freight and cars over two or more connecting lines of railroad in this state, and in the making of such rates and in changing or revising the same, they shall be governed as near as may be, by all the provisions of Chapter 28 of the acts of the twenty-second general assembly, and shall take into consideration the average of rates charged by said railway companies for shipments within this state for like distances over their

Unjust discrimination between points forbid-den.

Demand for reasonable joint through rates.

Cost of trans-fer.

The same accommoda-tions to local as to inter-state traffic.

Failure of companies to establish through joint rates.

Chap. 28 acts 22 G. A. to govern com-missioners in making rates.

Commissioners' rate to take effect.

Railway companies interested to be notified.

Hearing of the companies in interest.

Unjust, and unreasonable charges prohibited.

Punishment.

Publication.

respective lines, and rates charged by the railway companies operating such connecting lines for joint inter-state shipments for like distances. The rates established by the board of railroad commissioners shall go into effect within ten days after the same are promulgated by said board, and from and after that time the schedule, of such rates shall be *prima facie* evidence in all of the courts of this state that the joint transportation of freight and cars upon the railroads for which such schedules have been fixed.

SEC. 4. Before the promulgation of such rates as provided in Section 3 of this act, the board of railroad commissioners, shall notify the railroad companies interested in the schedule of joint rates fixed by them; and they shall give said railroad companies a reasonable time thereafter to agree upon a division of the charges provided for in such schedule, and, in the event of the failure of said railroad companies to agree upon a division and to notify the board of such agreement, the board of railroad commissioners shall, after a hearing of the companies interested, decide the same, taking into consideration the value of terminal facilities and all the circumstances of the haul, and the division so determined by the board shall, in all controversies or suits between the railroad companies interested, be *prima facie* evidence of a just and reasonable division of such charges.

SEC. 5. Every unjust and unreasonable charge for the transportation of freight and cars over two or more railroads in this state is hereby prohibited and declared to be unlawful, and each and every one of the companies making such unreasonable and unlawful charges, or otherwise violating the provisions of this act, shall be punished as provided in chapter 28 of the acts of the twenty-second general assembly for the making of unreasonable charges for the transportation of freight and cars over a single line of railroad by a single railroad company.

SEC. 6. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in the city of Des Moines, Iowa.

Approved April 8th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 16 and the *Des Moines Leader* April 12, 1890.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 18.

## AUTOMATIC COUPLERS AND BRAKES TO RAILWAY CARS.

**AN ACT** Requiring all railroads, corporations, companies and persons, operating a railroad and doing business in Iowa, to equip all their engines and cars with proper, efficient and safe automatic couplers and brakes, and for prescribing penalties for failure thereof. H. F. 25.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That it shall be unlawful for any corporation, company or person operating any line of railroad in this state, any car manufacturers or transportation company using or leasing cars, to put in use in this state any new cars or any cars that have been sent in to the shop or shops for general repairs, or whose draft rigging has to be repaired with a new draw bar or bars, that are not equipped with safety or automatic couplers to draw bars, such as will not necessitate the going between the ends of the cars to couple or uncouple them, but operated from the side of the car.

Use of new or repaired cars without safety couplers, forbidden.

Sec. 2. That after January 1, 1895, it shall be unlawful for any corporation, company or persons operating a railroad, or any transportation company using or leasing cars of any description and used in the commerce of the country, or in the construction of railroads, to have upon any railroad in Iowa for use in the transportation of freight or passengers any car that is not equipped with such safety automatic coupler as provided for in Section one of this Act.

All cars must be equipped after Jan. 1, 1895.

Sec. 3. That it shall be unlawful for any corporation, company or person operating any line of railroad in this State, to use any locomotive engine upon any railroad or in any railroad yard in this State after the First Day of January, 1892, that is not equipped with a proper and efficient power brake, commonly called a "driver brake".

Locomotives must be equipped with driver brakes after Jan. 1, 1892.

Sec. 4. That it shall be unlawful for any corporation, company or person operating a line of railroad in this state, to run any train of cars after the First Day of January, 1893, that shall not have in that train a sufficient number of cars with some kind of efficient automatic or power brakes so that the engineer upon the locomotive car can control the train without requiring brakemen to go between the ends or on the top of the cars to use, as now, the common hand brake.

All trains must have automatic power brakes after Jan. 1, 1893.

Companies  
must state in  
report num-  
ber equip-  
ped with  
brakes and  
safety coup-  
lers.

Penalty for  
operating  
contrary to  
law.

Rights of  
persons in-  
jured.

SEC. 5. Every railroad corporation, company or person operating a railroad in this state, and every person or persons using or leasing cars in the transportation business, or in building railroads, shall, and are by this act required to include in their annual report to the state railroad commissioners the number of locomotive engines and cars used in this state and what number is equipped with automatic power brakes and what number of cars equipped with automatic safety couplers and the kind of brakes and couplers used and the number of each kind, when more than one kind is used.

SEC. 6. Any corporation, company or person operating a railroad in this state, and using a locomotive engine or running a train of cars or using any freight, way or other car, contrary to the provisions of this act, shall be deemed guilty of a misdemeanor, and shall be subject to a fine of not less than Five Hundred Dollars or not more than One Thousand Dollars, for the benefit of the school fund, for each and every offense, provided the penalties on this section shall not apply to companies in hauling cars belonging to railroads other than those of this State which are engaged in interstate traffic and any railroad employee who may be injured by the running of such engine, or train or car contrary to the provisions of this law, shall not be considered as waiving his right to recover damage by continuing in the employ of such corporation, company or person running such engine or trains or cars contrary to this law.

Approved April 5, 1890.

## CHAPTER 19.

### TAXES IN AID OF RAILROADS.

S. F. 208. AN ACT to amend Sections Six (6) and Seven (7) of Chapter one hundred fifty-nine (159) of the Laws of the Twentieth General Assembly of Iowa in Relation to Taxes in Aid of Railroads.

*Be it enacted by the General Assembly of the State of Iowa:*

Sec. 6, Chap.  
159, Acts 22 G.  
A. amended;  
\$18,500.

SECTION 1. That Section Six (6) of Chapter One hundred fifty-nine (159) of the Laws of the Twentieth General Assembly of Iowa be and the same is hereby amended by striking out the words "Sixteen thousand dollars" from lines twenty-eight and twenty-nine thereof, and inserting in lieu of the said words stricken out the words "Eighteen thousand five hundred dollars."

SEC. 2. That Section Seven (7) of said Chapter One hundred fifty-nine (159) of the Laws of the Twentieth General Assembly of Iowa be and the same is hereby amended by striking out the words "Sixteen thousand dollars" from lines six and seven thereof, and inserting in lieu of the said words stricken out the words "Eighteen thousand five hundred dollars."

Sec. 7, Chap.  
159, Acts 22 G.  
A. amended;  
\$18,500.

SEC. 3. This act being deemed of immediate importance Publication. shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines Iowa.

Approved March 21st, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* March 22 and *Des Moines Leader* March 23, 1890.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 20.

### RELATING TO FENCING RAILWAYS.

AN ACT to Amend Chapter Thirty (30) of the Laws of the Twenty-<sup>S. F. 175.</sup> second General Assembly, and to remit certain penalties incurred thereunder.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That Section Two (2) of Chapter Thirty of the Acts of the 22nd General Assembly, be amended by adding thereto the following:—

The time fixed in this act for fencing railways, shall not apply to railway companies owning or operating third class or class "C" railways, as classified by the Railroad Commissioners. Such railway shall be fenced as follows; twenty-five per cent of the entire length of the road not including any fencing already done shall be fenced, as herein provided, during the year 1890, and Twenty-five per cent of such entire length each year thereafter, until the whole thereof is fenced.

SEC. 2. All penalties and fines which have been heretofore incurred under said Chapter Thirty (30) by any railway company owning or operating a third class or class "C" railway, or by any officer or lessee thereof, by reason of a failure to fence according to the provisions of said Chapter Thirty (30) of the Acts of the 22nd General Assembly, are hereby released and remitted, and no suit or prosecution shall be instituted by reason of any such failure; but nothing herein contained shall be construed to exempt any such railway company, lessee or

Provisions  
for fencing  
Class "C"  
roads.

Fines against  
"C" roads re-  
leased.

officer, from the fines and penalties provided in said act, if any such road is not fenced in compliance herewith.

**Publication.** SEC. 3. This act being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 10, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 16, and the *Des Moines Leader* April 15, 1890.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 21.

### STREET RAILWAYS OVER HIGHWAYS.

**S. F. 322.** AN ACT to amend Section (1) Chapter Thirty-two (32) Laws of the Eighteenth General Assembly of the State of Iowa, relating to extension of street railways over highways in certain cases.

*Be it enacted by the General Assembly of the State of Iowa:*

**Sec. 1, Chap. 32, acts 18th G. A. amended.** SECTION 1. That Section one (1) of Chapter thirty-two of the public acts of the Eighteenth General Assembly of the State of Iowa be amended as follows, to-wit:

**Operation of street railway over highway.** "Provided however, that in any county within which any such street railway company desires to operate its line of railway over any highway, of not less than sixty six feet in width, for a distance of not exceeding two miles beyond the limits of any city or incorporated town to any state institution there situated, said railway to be operated by animal power only, the Board of Supervisors of such county may grant the right to such street railway so, to operate its line over said street not exceeding two miles or less, and under such limitations, rules and regulations as said Board of Supervisors may prescribe: provided further, that said Board of Supervisors shall have the power, and such power is hereby reserved to them, to rescind, amend or modify such grant, limitations, rules and regulations at any time it may so determine."

**May rescind right.**

**Publication.**

This act being deemed of immediate importance shall be in force and effect from and after the date of its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 5th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 10, 1890.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 22.

## STATE CERTIFICATES AND DIPLOMAS TO TEACHERS.

AN ACT to amend Chap. 167 Laws of the Nineteen[n]th General Assembly in relation to state certificates and diplomas to teachers. S. F. 192.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That Section 3 Chapter one hundred sixty-seven of the Laws of the Nineteen[n]th General Assembly be amended by adding the following words: "they shall also have power to issue state certificates and state diplomas to such graduates of any Iowa State Normal school as are shown to possess good moral character, the certificate to be issued when the graduate is proved to have had thirty-six weeks successful experience in teaching, and the diploma when five years such experience is shown."

Certificates and diplomas to graduates of State Normal School.

Sec. 2. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines Iowa. Publication.

Approved March 26, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* March 28 and *Des Moines Leader* March 29, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 23.

## MANAGEMENT OF GENERAL SCHOOL FUND.

AN ACT to repeal sections 1, 2, 3, of Chapter 12, of the Acts of the Eighteenth General Assembly relative to the management of the Permanent School Fund and to enact substitutes therefor. S. F. 10.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. The rate of interest of all permanent school funds hereafter loaned shall be six per cent, per annum from the date of said loan. Rate of interest, 6 per cent.

Sec. 2. Interest not paid when due shall bear interest at the same rate as the principal. Unpaid interest.

**School fund in control.** SEC. 3. After July 1, A. D. 1890, the counties having permanent school funds in control shall be charged only five per cent, instead of six per cent.

**Secs. of Chap. 12, Acts 18 G. A. repealed.** SEC. 4. That sections one, two, three of chapter twelve of the Acts of the Eighteenth General Assembly and all laws inconsistent with this act are hereby repealed.

**Publication.** SEC. 5. This act being deemed of immediate importance shall be in force from and after its publication in the Iowa State Register and in the Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 1st, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 4, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 24.

### EMPOWERING DIRECTORS TO PURCHASE TEXT-BOOKS.

**H. F. 279.** **AN ACT** Authorizing and Empowering the Boards of Directors of School Districts to Purchase Text Books, and Allowing the Electors of Districts and Counties to Decide the Question of Uniformity, and to provide means and Authority for Purchase of School Books and Supplies.

*Be it enacted by the General Assembly of the State of Iowa:*

**Board of directors to adopt text-books and supplies.**

SECTION 1. That the board of directors of each and every district, Township and Independent District in the state of Iowa is hereby authorized and empowered to adopt text-books for the teaching of all branches that are now or may hereafter be authorized to be taught in the public schools of the state, and to contract for and buy said books and any and all other necessary school supplies at said contract prices and to sell the same to the pupils of their respective districts at cost, and said money so received shall be returned to the contingent fund. That the books and supplies which are purchased under the provisions of this section shall be under the charge of the president of each Board of Directors, that he shall care therefor and receive all moneys for books sold, and he shall be responsible for all such books and moneys, and he shall give a bond in the sum of five hundred dollars with sureties to be approved by the County Board of Supervisors, to insure the faithful performance of such duties.

**President of board to have charge of books.**

**Shall give bond.**

**Books paid for out of contingent fund.**

SEC. 2. All the books and other supplies, purchased under the provisions of this act, shall be paid for out of the contingent fund, and the Board of Directors shall annually certify to

the Board of Supervisors the additional amount necessary to levy for the contingent fund of said district to pay for such books and supplies; but such additional amount shall not exceed, in any one year, the sum of one dollar for each pupil residing in the district, Township or Independent School District, and the amount so levied shall be paid out on warrants drawn for the payment of books and supplies only; but the District shall contract no debt for that purpose.

Sec. 3. In the purchasing of text-books, it shall be the duty of the Board of Directors or the County Board of Education to take into consideration the books then in use in the respective districts, and they may buy such additional number of said books as may, from time to time, become necessary to supply their schools, and they may arrange on equitable terms for exchange of books in use for new books adopted.

Sec. 4. If at any time the publishers of such books as shall have been adopted by any Board of Directors or County Board of Education, shall neglect or refuse to furnish such books when ordered by said Board in accordance with the provisions of this act, at the very lowest price, either contract or wholesale, that such books are furnished any other district or state board, or were furnished to any other district or state board in the year 1889, then said Board of Directors or County Board of Education may, and it is hereby made their duty to bring suit upon the bond given them by the contracting publisher.

Sec. 5. Before purchasing text-books under the provisions of this act, it shall be the duty of the Board of Directors, or County Board of Education, to advertise, by publishing a notice for three consecutive weeks in one or more newspapers published in the county; Said Notice shall state the time up to which all bids will be received, the classes and grades for which text-books and other necessary supplies are to be bought, and the approximate quantity needed; and said board shall award the contract for said text-books and supplies to any responsible bidder or bidders offering suitable text-books and supplies at the lowest prices, taking into consideration the quality of material used, illustrations, binding and all other other things that go to make up a desirable text-book; and may to the end that they may be fully advised, consult the County Superintendent; or, in case of City Independent Districts, with City Superintendent or other competent persons, with reference to the selection of text-books; provided, that the board may reject any and all bids, or any part thereof, and re-advertise therefor as above provided.

Sec. 6. It shall be unlawful for any board of Directors or County Board of Education, except as provided in Section 4, to displace or change any text-book that has been regularly adopted and introduced under the provisions of this act, before the expiration of five years from the date of such adop-

Considerations in the purchase of books.

Duty of board in case of failure of publishers to furnish.

Bids taken for furnishing.

Consultation as to books selected.

Books selected not to be displaced for five years; exception.

tion, unless authorized to do so by a majority of the electors present and voting at their regular annual meeting in March, due notice of said proposition to change or displace said text-books having been included in the Notice for the said regular meeting.

**Samples to be deposited by bidders.** SEC. 7. Any person or firm desiring to furnish books or supplies under this act, in any county, shall, at or before the time of filing his bid hereunder, deposit in the office of the County Auditor samples of all text-books included in his bid, accompanied with lists giving the lowest wholesale and contract price for the same. And said samples and lists shall remain in the County Auditor's office, and shall be delivered by him to his successor in office; and shall be kept by him in such safe and convenient manner as to be open at all times to the inspection of such school officers, school patrons and school teachers as may desire to examine the same and compare them with others, for the purpose of use in the public schools. The Board of Directors and County Board of Education mentioned, shall require of any person or persons with whom they contract for furnishing any books or supplies to enter into a good and sufficient bond in such sum and with such conditions and sureties as may be required by such Boards of Directors or County Board of Education for the faithful performance of any such contract.

**Petition for uniform series.** SEC. 8. When a petition shall have been signed by one-half the school Directors in any County, and the same shall have been filed in the office of the County Superintendent of said County; at least thirty (30) days before the annual school elections in March, asking for a uniform series of text-books in the County, then the said County Superintendent shall notify the County Auditor and the board of supervisors of such petition. Such notice shall be in writing and shall be served or delivered as soon as possible, and within fifteen (15) days after the filing of the petitions provided for herein the board of Education provided for in Section 9, shall meet and provide for the submission of the question of County uniformity.

**Service of notice.** SEC. 9. The County Superintendent, the county auditor and the county Board of Supervisors shall constitute a Board of Education, whose duty it shall be to arrange for a vote by the electors at the annual meeting in March, for or against county uniformity of school text-books under such rules and regulations as said Board of Education may determine. Should a majority of the electors, voting at such election; favor a uniform series of text-books for use in said County, then the County Board of Education shall meet and select the school-text-books for the entire County, and contract for the same under such rules and regulations as the said Board of Education may adopt. When a list has been so selected, they shall be used by all the public schools of said districts, and the

**Board of education; how constituted.**

**Election as to county uniformity.**

Board of Education may arrange for such depositories as they may deem best, and may pay for said school books out of the county funds and sell them to the school Districts at the same price as provided for in Section one (1) of this act, and the money received from said sales shall be returned to the County funds by said Board of Education monthly. The Boards of school officers who are made the judges of the school meetings, shall certify to the Board of Supervisors the full returns of the votes cast at said meetings the next day after the holding of said meetings, who shall, at their next regular meeting, proceed to canvass said votes and declare the result.

Depositories  
for county  
books.

Canvass of  
votes.

SEC. 10. The County Superintendent shall, in all cases, be Chairman and secretary of county board of education. Chairman of the County Board of Education, and the county auditor shall be the Secretary, and a full and complete record shall be kept of their proceedings in a book kept for that purpose in the office of the County Superintendent. A list of text-books so selected, with their contract prices, shall be reported to the State Superintendent with the regular annual report of the County Superintendent.

SEC. 11. It shall be unlawful for any school Director, Teacher or member of the County Board of Education to act as agent for any school text-books or school supplies during such term of office or employment, and any school Director, Officer, Teacher or member of the County Board of Education who shall act as agent or dealer in school text-books or school supplies, during the term of such office or employment, shall be deemed guilty of a misdemeanor, and shall upon conviction thereof, be fined not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00), and pay the costs of prosecution.

Directors,  
teachers or  
member of  
the board not  
to act as  
agents.

SEC. 12. The provisions of Sections eight (8) nine (9) and ten (10) of this act shall not apply to schools located within cities or towns, nor shall the Electors of said cities or towns vote upon the question of County Uniformity, but nothing herein shall be so construed as to prevent such schools in said cities and towns from adopting and buying the books adopted by the County Board of Education at the prices fixed by them, if by a vote of the Electors they shall so decide.

Provisions  
not applic-  
able to cities.

SEC. 13. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

Repealing  
clause.

Approved, May 7, 1890.

## CHAPTER 25.

## BOUNDARIES OF TOWNSHIPS.

S. F. 420.

**AN ACT** authorizing Boards of Supervisors in Certain Cases to change the boundaries of Townships without reference to lines of school districts. (Chap. 1 Acts 28 G. A.)

*Be it enacted by the General Assembly of the State of Iowa:*

Changes as provided in Chap. 1 acts 28 G. A.

Board of Supervisors has power to change boundaries.

Proviso.

Conflicting acts repealed.

SECTION 1. That where the boundaries of any city have been changed as provided by Chapter one of the Acts of the 23rd General Assembly of the State of Iowa, entitled an act to extend the limits of cities, and for other purposes incident thereto. The Board of Supervisors of the County in which such city is situated shall have power to change the boundary lines of Townships so as to make such lines conform to the boundaries of such city, and to make such other changes in Township lines and the number of Townships as they may deem necessary. Providing nothing herein contained shall affect the present boundaries or existing conditions of school districts.

Sec. 2. All acts or parts of acts in conflict herewith are hereby repealed.

Approved April 17th, 1890.

## CHAPTER 26.

## COUNTY INDEBTEDNESS.

H. F. 94.

**AN ACT** To Amend Sections 289 and 290 of the Code of 1873, as amended by Chap. 91 Laws of the Twenty-Second General Assembly of the State of Iowa, Relating to the Bounding of County Indebtedness.

*Be it enacted by the General Assembly of the State of Iowa:*

Jan. 1888  
stricken  
April 1890  
inserted.

SECTION 1. That section 289 of the Code of 1873 as amended by Chap. 91 of the Acts of the Twenty-Second General Assembly be and the same is hereby amended as follows: Strike out of the second line of said section the words "the first day of January 1888;" and insert in lieu thereof the words "the first day of April 1890."

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SEC. 2. Strike out of the sixth line of Section 290 as Code Sec. 200 amended by Chapter 91 Laws of the Twenty-Second General <sup>amended.</sup> Assembly, the words "on the first day of January 1888" and insert in lieu thereof, the words "on the first day of April 1890."

SEC. 3. This act being deemed of immediate importance, Publication shall take effect and be in force from and after its publication, in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines Iowa.

Approved, April 5, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 8, 1890.

\*FRANK D. JACKSON, Secretary of State.

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## CHAPTER 27.

### COMPENSATION FOR USE OF PLACE FOR HOLDING ELECTION.

AN ACT To amend Section 391, Title 4, Chapter 9 of the code in relation to places of election and compensation for the use thereof. S. F. 105.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That section 391, title 4, chapter 9 be and the same is hereby amended by inserting after the word "held" in the second line of said section the following: "And the board of supervisors shall allow a reasonable compensation for the use thereof".

Approved May 1st, 1890.

Compensation for use of election place.

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## CHAPTER 28.

### PUNISHMENT OF POOLS, TRUSTS, COMBINATIONS, ETC.

AN ACT for the punishment of Pools, Trusts, Combinations and Conspiracies, and as to evidence in such cases. H. F. 174.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. If any corporation organized under the laws of this or any other state or country, for transacting or conducting any kind of business in this state, or any partnership or

Combination to fix price of merchandise.

individual or other association of persons whosoever, shall create, enter into, or become a member of, or a party to, any trust, agreement, combination, confederation or understanding with any other corporation, partnership, individual, or any person or association of persons, to regulate or fix the price of any article of merchandise or commodity, or shall enter into, become a member of or party to any pool, agreement, contract, combination or confederation to fix or limit the amount or quantity of any article, commodity or merchandise to be manufactured, mined, produced or sold in this state, shall be deemed and adjudged guilty of a conspiracy to defraud, and be subject to indictment and punishment as provided in this act.

Guilty of conspiracy.  
Punishment.

Trust certificates forbidden.

Trustees in certain cases forbidden.

Punishment for violation 1 per cent of capital.

Punishment for violation by officers of company.

Contracts void.

Purchaser not liable for price of articles purchased from combine.

SEC. 2. It shall not be lawful for any corporation to issue or to own trust certificates, or for any corporation, agent, officer or employes, or the directors or stockholders of any corporation, to enter into any combination, contract or agreement with any person or persons, corporation or corporations, or with any stockholder or director thereof, the purpose and effect of which combination, contract or agreement shall be to place the management or control of such combination or combinations, or the manufactured product thereof, in the hands of any trustee or trustees, with the intent to limit or fix the price or lessen the production and sale of any article of commerce, use or consumption, or to prevent, restrict or diminish the manufacture or output of any such article.

SEC. 3. If a corporation or a company, firm or association, shall be found guilty of a violation of this act, it shall be punished by a fine of not less than one per cent of the capital stock of such corporation or amount invested in such company, firm or association, and not to exceed twenty per cent of such capital stock or amount invested. Any president, manager, director or other officer or agent or receiver of any corporation, company, firm or association, or any member of any company, firm or association, or any individual, found guilty of a violation of the first section of this act, shall be punished by a fine of not less than five hundred dollars, nor to exceed five thousand dollars, and in addition thereto may be imprisoned in the county jail not to exceed one year.

SEC. 4. Any contract or agreement in violation of any provisions of the preceding sections of this act shall be absolutely void.

SEC. 5. Any purchaser of any article or commodity from any individual, company or corporation transacting business contrary to any provisions of the preceding sections of this act shall not be liable for the price or payment of such article or commodity, and may plead this act as a defense to any suit for such price or payment.

Sec. 6. Any corporation created or organized by or under the law of this state which shall violate any provision of the preceding sections of this act shall thereby forfeit its corporate right and franchises, and its corporate existence shall thereupon cease and determine as provided in this section and it shall be the duty of the secretary of state, after the passage of this act, to address to the president, secretary or treasurer of each incorporated company doing business in this state, a letter of inquiry as to whether the said corporation has merged all or any part of its business or interest in or with any trust, combination or association of persons or stockholders as named in the preceding provisions of this act, and to require an answer, under oath, of the president, secretary, treasurer or any director of said company; a form of affidavit prescribed by the secretary of state shall be enclosed in said letters of inquiry, and on refusal to make oath in answer to said inquiry, the secretary of state shall immediately cause a certified statement of the facts to be filed in the office of the Attorney General, of the state who shall proceed, or direct such proceedings by any county attorney in the state, to commence an action in the District Court of any County in the State of competent jurisdiction, when said proceedings are instituted they shall be conducted as ordinary law actions triable by Court or Jury on the final decision of the same—should the defendant be found guilty of a violation of any of the provisions of this act, said Court shall render a judgment and order a revocation of the charter of said company as a penalty for the violation, or violation for which the said company shall be found guilty, and the Secretary of State shall make publication of such revocation in four newspapers in general circulation in the four largest cities of the State.

Sec. 7. It shall be the duty of the Secretary of State upon satisfactory evidence (evidence) that any company or association of persons duly incorporated and operating under the laws of this State have entered into any trust, combination or association as provided in the preceding provisions of this act, to give notice to such corporation that unless they withdraw from and sever all business connection with said trust, combination or association, their charter will be revoked at the expiration of thirty days from date of such notice.

Sec. 8. It shall be the duty of the prosecuting attorneys in their respective jurisdictions, and the attorney general, to enforce the foregoing provisions of this act, and any prosecuting attorney, or the attorney general, securing a conviction under the provisions of this act, shall be entitled, in addition to such fee or salary as by law he is allowed for such prosecution, to one-fifth of the fine recovered. When the attorney general and prosecuting attorney act in conjunction in the prosecution of any case, under the provisions of this act, they

Letters of inquiry from Sec'y State.

Answer required under oath.

Statement filed with Att'y General.

Charter revoked if found guilty.

Revocation published.

Prosecuting Attorney and General to enforce this law.

One-fifth of fine recovered.

One-fourth of shall be entitled to one-fourth of the fine recovered which they shall divide equally between them, where there is no agreement to the contrary, and it shall be the duty of the

Duty of Grand Jury. grand jury to inquire into and ascertain if there exists any pools, trusts, combinations within their respective counties.

Repealing clause. SEC. 9. Chapter 84, Acts of the 22d General Assembly and all acts or parts of acts in conflict with the provisions of this act, are hereby repealed.

Publication. SEC. 10. Whereas, great injustice is being done to the people of this state by the formation of trusts and trust companies, therefore an emergency exists, and this Act shall take effect and be in force from and after its passage and publication, as required by law, in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved May 6, 1890.

I hereby certify that the foregoing Act was published in the *Iowa State Register* and *Des Moines Leader*, May 14, 1890.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 29.

### WEATHER AND CROP SERVICE.

H. F. 166. AN ACT To repeal Chapter 45 of the laws of the Seventeenth General Assembly and to enact a substitute therefor, to establish a Weather and Crop Service and for the collection and dissemination of Crop Statistics and meteorological data.

*Be it enacted by the General Assembly of the State of Iowa:*

Chap. 45 Acts 17 G. A. repealed. SECTION 1. That chapter 45 of the laws of the Seventeenth General Assembly be and the same hereby is repealed, and the following enacted in lieu thereof.

Weather and crop service under direction of Ag'l Society. Weather and crop service under direction of Ag'l Society. SECTION 2. That there be and hereby is established in the State of Iowa, under the supervision of the Board of Directors of the State Agricultural Society, a weather and crop service, cooperating with the Signal Service of United States, for the purpose of collecting crop statistics and meteorological data, and more widely disseminating the weather forecasts and storm and frost warnings, for the benefit of producers and shippers of perishable products, and to promote a general knowledge of meteorological science and the climatology of the State.

Objects. Location of central station. SECTION 3. That the central station of said weather and crop service shall be in the city of Des Moines under the charge of

a Director and an Assistant Director, the said Director to be appointed by the Governor for a term of two years upon the recommendation of said Board of Directors of the State Agricultural Society; and the Assistant Director to be an officer of the United States Signal Service who may be detailed for that purpose by the Chief Signal Officer at Washington, D. C.

Sec. 4. That the said Director cooperating with the Secretary of the State Agricultural Society shall establish volunteer stations throughout the State, to the number of one or more in each county, and shall appoint observers thereat. And the said Director shall supervise said volunteer stations, receive reports therefrom of meteorological events and crop conditions, tabulate the same for permanent record, and shall issue weekly weather crop bulletins during the season from April 1st to October 1st; and he shall also edit and cause to be published at the office of the State Printer a Monthly Weather and Crop Review, containing meteorological and agricultural matter of public interest and educational value. And it shall be the duty of the State Printer to issue copies of said Review to the number of 1000 for distribution from the office of the said Agricultural Society; and the Directors of said Society may in their discretion cause to be published a larger number of copies to be delivered to subscribers at a price sufficient to defray the expense of publishing the same, the proceeds to be expended for that purpose only.

Sec. 5. That the said director shall also compile an annual report, addressed to the Governor, to be printed and bound in the office of the State Printer in such number as the Executive Council may direct; said report to contain a complete review and summary of the results of the years' labors and observations.

Sec. 6. That there is hereby appropriated out of any money in the treasury, not otherwise appropriated, the sum of two thousand and five hundred dollars per year for the period of two years, or such portion thereof as may be necessary to carry into effect the provisions of this act, to be drawn and expended upon the order of the President and Secretary of the said Agricultural Society; provided, however, that the salary of the said Director shall not exceed the sum of fifteen hundred dollars per year.

Sec. 7. That this act being deemed of immediate importance shall take effect on and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in the City of Des Moines, Iowa.

Approved April 24, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 26, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 30.

## ADDITIONAL JUSTICES OF THE PEACE.

S. F. 391.

**AN ACT** relating to certain additional justices of the peace and constables, legalizing their official acts, and the official acts of canvassing boards with reference thereto. (Sec. 590, Code).

Justices and constables provided by Code.

WHEREAS Section 590 of the Code of Iowa provides for the election of two justices of the peace and two constables in each township, and Section 592 provides that one or two additional justices of the peace, and one or two additional constables may be elected in each township if the trustees so direct by posting up notices of the same at least ten days before election, and

Notice given but once.

WHEREAS, by many township trustees, and others, the so giving of notice of the election of such additional officers has been construed to mean that such notice was required only for the first election of such additional justices of the peace and constables, and not for any subsequent election of such additional officers, and

Officers acting where no notice was given.

WHEREAS there have been and are now throughout the State, many acting additional justices of the peace and constables; in townships where no such notice as required by said Section 592 was given, and where such additional officers were declared elected, and duly qualified in their said offices, and acted therein, and many such are still so acting therein, as such additional justices of the peace and constables, wherein the rights and remedies of the people have been affected and involved, and—

Doubts as to legality of official acts.

WHEREAS doubts have arisen as to the legality of the "official" acts of such additional justices of the peace and constables, so elected and qualified and as to the legality of the election and official title of such additional justices of the peace and constables who are still acting as such, therefore:

*Be it enacted by the General Assembly of the State of Iowa:*

Acts of canvassing boards.

**SECTION 1.** That the acts of the several county and township canvassing boards within the state in canvassing the votes cast for additional justices of the peace and additional constables, and in declaring the results in said cases wherein there had been no previous notice as provided for in Section 592 of the Code be and the same are legalized and given the same force and validity as if the provisions of law in reference to previous notice had all been fully and strictly complied with in

Acts of officers while acting legalized.

each particular instances; and the official acts of all persons who qualified and acted in an official capacity as additional justices of the peace or additional constables in pursuance of the declaration of the canvassing board as hereinbefore alleged are hereby legalized and given the same force and validity as if the provisions of law in reference to previous notice had all been strictly complied with at the time of the election.

Sec. 2. This act being deemed of immediate importance Publication. shall take effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines Iowa.

Approved April 17, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 22, and *Des Moines Leader* April 28, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 31.

### DRAWING MONEY FROM STATE TREASURY.

AN ACT Relating to the drawing of monies (moneys) from the State H. F. 306. Treasury.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That all monies (moneys) now appropriated or Money must be drawn in accordance with act. that may hereafter be appropriated by general law or by special or general act of the Legislature shall be drawn in accordance with the act making such appropriation, provided that in no case shall such monies (moneys) or any portion thereof be drawn before the same is needed for use within thirty days from the date of the requisition.

Sec. 2. The treasurer of the several state institutions shall State institutions governed. draw the whole or any part of any special or extraordinary appropriation for their respective institutions in accordance with the act making such appropriation provided that in no case shall the whole or any part of such appropriation be drawn until such sum or sums shall be needed for use within thirty days from the date of the requisition for the purpose of which said appropriation was made.

Sec. 3. Any treasurer of any state institution having Overdrafts to be refunded. drawn or that may hereafter draw from the state treasury a larger sum of money than is needed for use within thirty days from the date of the requisition for the purpose for which such appropriation was made shall forthwith refund such sum or sums to the state treasury.

**Certificate of amount in hands, required.** SEC. 4. The treasurer or other officer of any state institutions authorized to draw any appropriation made by the General Assembly shall forward with the requisition for the same a certified statement of the amount of funds then in his hands and the sum or sums required for expenditure as provided by the act making such appropriation within thirty days from the time of making such requisition and such treasurer or other officer shall in the printed report made by the board or other body in charge of such institution to the Governor or General Assembly make a verified statement showing the dates and sums drawn by such requisitions and the total amount of such money actually paid out by him for each month of the biennial period.

**Statement to be embodied in report.** SEC. 5. This act being deemed of immediate importance shall be in force and effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 15, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 26 and *Des Moines Leader* April 30 1890.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 32.

### ISSUING BONDS BY COUNTIES.

**S. F. 377.** AN ACT to amend Section 312 of the code in relation to issuing bonds by counties in certain cases.

*Be it enacted by the General Assembly of the State of Iowa:*

**Sec. 312 amended.** SECTION 1. That Section 312 of the code, be and is hereby amended by adding thereto after the word "years" in the fourth line therein the following:

**Rate of levy to pay debt in Twenty-five years.** "Provided." That in Counties having a population of forty thousand or over and where it is proposed to expend One Hundred Thousand Dollars, or over, the rate of levy shall be such as to pay the debt in not exceeding Twenty five years.

**Bonds due at different periods.** SEC. 2. In issuing Bonds for such indebtedness when voted, the Board of Supervisors may cause portions of said bonds to become due at different definite periods. But none of such bonds so issued shall be due and payable in less than Five or more than Twenty Five years from date.

**Repealing clause.** SEC. 3. All acts and parts of acts in conflict with this act are hereby repealed.

SEC. 4. This act being deemed of immediate importance Publication. shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader and the Dubuque Herald; Newspaper of general circulation in this State.

Approved April 24, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 29, *Des Moines Leader* and *Dubuque Herald* May 8, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 33.

### INSURANCE.

AN ACT to prevent discrimination in Life Insurance.

H. F. 407.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That no life insurance company doing business in Iowa shall make or permit any distinction or discrimination in favor of individuals between insurants of the same class and equal expectations of life in the amount or payment of premiums or rates charged for policies of life or endowment insurance, or in the dividends or other benefits payable thereon, or in any other of the terms and conditions of the contract it makes; nor shall any such company or any agent thereof make any contract of insurance or agreement as to such contract, other than is plainly expressed in the policy issued thereon; nor shall any such company or agent pay or allow, or offer to pay or allow, as inducement to insurance any rebate of premium payable on the policy, or any special favor or advantage in the dividends or other benefit to accrue thereon, or any valuable consideration or inducement whatever not specified in the policy contract of insurance.

SECTION 2. Every corporation or officer or agent thereof who shall willfully violate any of the provisions of this act, shall be fined in any sum not exceeding five hundred dollars (\$500) to be recovered by action in the name of the State and on collection paid into the county Treasury for the benefit of the common school fund, and a revocation of the license for three years.

SECTION 3. This act being deemed of immediate importance Publication. shall be in force from and after its publication in the Leader and Register, newspapers published in Des Moines, Iowa.

Approved April 17, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 24; and the *Des Moines Leader* April 1, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 34.

## PRESERVATION OF FISH.

S. F. 51.

**AN ACT** for the Protection and Preservation of Fish and Repealing Sections 1, 2, 3, 4, 6, 7, 8, 9, 10 and 11 of Chapter 50 Acts of the 15th General Assembly, Chapter 70 Acts of the 16th General Assembly, Sections 3, 5, 6, 7 and 8 of Chapter 80 Acts of the 17th General Assembly, Chapter 92 Acts of the 18th General Assembly and Chapter 9, Acts of the 20th General Assembly.

*Be it enacted by the General Assembly of the State of Iowa:*

Parts of Chap.  
50 acts 15 G.  
A., Chap. 70  
acts 16 G. A.,  
Chap. 80 acts  
17 G. A., Chap.  
92 acts 18 G. A.  
Chap. 9 acts  
20 G. A. re-  
pealed.

Unlawful to  
take fish ex-  
cept by hook  
and line.

Spearing.

Returned to  
waters.

Salmon,  
trout, bass,  
pike, crappies  
time forbidi-  
den.

Unlawful to  
buy, sell or  
offer for sale.

Violation  
fined \$10 to \$50.

**SECTION 1.** That Sections 1, 2, 3, 4, 6, 7, 8, 9, 10 and 11 of Chapter 50 of the Acts of the 15th General Assembly, Chapter 70, Acts of the 16th General Assembly, Sections 3, 5, 6, 7 and 8 of Chapter 80 Acts of the 17th General Assembly, Chapter 92 Acts of the 18th General Assembly, and Chapter 9 Acts of the 20th General Assembly, be and the same are hereby repealed and the following enacted in lieu thereof.

**SEC. 2.** It shall be unlawful for any person to take from any of the waters of the state any fish in any manner except by hook and line; except that it shall be lawful for any person to take minnows for bait with a seine that does not exceed five yards in length. Also that it shall be lawful to take buffalo and suckers by spearing between the First day of Nov and the First day of March following. The word minnows as used herein does not include or apply to young bass, pike, crappies, trout, salmon, or fry of any game fish, either native or foreign; and all such fish, either young or adult, so taken, shall be immediately returned to the waters from whence taken. It shall be lawful for the state fish commissioner to take from any of the public waters in any manner any fish for the purpose of propagation or restocking other waters.

**SEC. 3.** It shall be unlawful for any person to catch or take from any of the waters of the state any salmon or trout between the first day of November and the first day of April following, or any bass, pike crappies or any other game fish between the first day of Nov. and the 15th day of May following in each year, in any manner whatsoever.

**SEC. 4.** It shall be unlawful for any person, company or corporation to buy, sell or offer for sale or have in his or their possession for sale or transportation any fish which shall have been taken in violation of sections 2 and 3 of this act.

**SEC. 5.** Any person found guilty of a violation of the preceding sections of this act shall upon conviction before any justice of the peace, mayor of any incorporated town or city

or any court of record within the county in which such offense is committed, be fined not less than ten nor more than fifty Dollars and stand committed until such fine and costs are paid.

SEC. 6. No person shall place, erect or cause to be placed or erected, in or across any of the rivers, creeks, lakes, or ponds or any outlets or inlets thereto any trot line, seine, net, weir, trap, dam or other obstruction in such manner as to hinder or obstruct the free passage of fish up down or through such water course for the purpose of taking or catching fish unless the same be done under the supervision of the fish commissioner, except minnows as provided in Section 2 of this Act.

SEC. 7. No person shall place in any of the waters of the state any lime, ashes, drug, or medicated bait or shoot any gun or use any dynamite, gun cotton, giant powder or other explosive or any electrical machine or device with the intent thereby to kill, injure, poison, stupify or catch fish.

SEC. 8. Any person found guilty of a violation of Sections six or seven of this act shall, upon conviction before any justice of the peace, Mayor of any incorporated town or city, or any court of record in the county in which such offense is committed, be fined not less than twenty-five dollars nor more than one hundred dollars, and stand committed until such fine is paid. And any seine, net, trap or other device used in violation of Section Six or Seven of this act may be seized and destroyed by order of the court before whom such action may be brought.

SEC. 9. In all prosecutions under Sections 2, 3, 4, 5 and 13 of this act the person filing the information shall be entitled to a fee of five dollars which shall be taxed as costs against the person, company or corporation so convicted, and in all prosecutions under Sections 6, 7, and 8 of this act the persons filing the information shall be entitled to a fee of ten dollars, which shall be taxed as costs, as above provided, but in no case shall the fee of the informant be paid out of the county treasury. Any fish found in the possession of any person, company or corporation taken in violation of the preceding sections shall be seized and sold for the purpose of paying the costs in the case.

SEC. 10. Persons raising or propagating fish on their own premises or owning premises on which there are waters having no natural outlet or inlet through which such waters may become stocked or replenished with fish from public waters, shall absolutely own such fish as they may contain, and any person taking or attempting to take any fish therefrom without the consent of the owner or his agent shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than five dollars nor more than twenty-five dollars, or imprisoned in the county jail not more than thirty

Trot lines,  
traps or  
obstructions  
unlawful.

Use of drugs,  
explosives,  
etc., unlaw-  
ful.

Violation  
fined \$5 to  
\$100.

Device used  
seized and de-  
stroyed.

Fee to in-  
formant un-  
der sections  
2, 3, 4, 5, 15.

Fee to in-  
formant un-  
der sections  
6, 7, 8.

Fish on own-  
er's premises.

Penalty for  
trespass.

days and shall be liable to the owner of the fish in damages, in double the amount of damages sustained, the same to be recovered in civil action before any court having jurisdiction over the same.

Certain rivers excluded.

Sec. 11. Nothing herein contained shall be held to apply to fishing in the Mississippi the Missouri or the Big Sioux rivers nor so much of the Des Moines river as forms the boundary between the states of Missouri and Iowa.

Enforcement by Commissioner.

Sec. 12. It shall be the duty of the fish commissioner to see that the provisions of this act are enforced and for that purpose he shall have the right to call to his assistance any prosecuting attorney to prosecute all violations of this act in the county where such violations occur.

Opinion of Atty. Gen'l.

When requested by the Fish Commissioner, the Attorney General shall give his opinion in writing upon all questions of law pertaining to his office. Nothing in this act shall be construed as prohibiting any citizen from instituting legal proceedings for the enforcement of any provision hereof.

Unlawful to fish in stocked stream.

Sec. 13. It shall be unlawful for any person to fish for or catch in any manner any fish in any stream in this State which has been stocked with breeding trout—one or two years old—by this State or the United States Fish Commission for one year from date of said stocking, provided notice of said stocking is posted by authority of the State Fish Commissioner whenever a public highway crosses such stream.

Notice posted.

Any violation of this section shall be subject to the penalties prescribed in section 5 of this act.

Penalty.

Sec. 14. All Acts or parts of acts, inconsistent or in conflict herewith are hereby repealed.

Repealing clause.

Sec. 15. This act being deemed of immediate importance shall be in force and take effect from and after its publication in the "Iowa State Register" and "Des Moines Leader" newspapers published in Des Moines, Iowa.

Approved April 1st, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 4, 1890.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 35.

## SALE OF INTOXICATING LIQUORS.

AN ACT to provide for and regulate the keeping and sale of intoxicating liquors for lawful purposes, and to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of Chapter 71 Laws of the Twenty-second General Assembly.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of Chapter 71 laws of the Twenty-Second General Assembly, be and the same are hereby repealed, and the following enacted in lieu thereof.

Sec. 2. That after this act takes effect no person shall manufacture for sale, sell, keep for sale, give away, exchange, barter or dispense any intoxicating liquor, for any purpose whatever, otherwise than is provided in this act. Persons holding permits, as herein provided, shall be authorized to sell and dispense intoxicating liquors for pharmaceutical and medical purposes, and alcohol for specified chemical mechanical purposes, and wine for sacramental purposes and to sell to registered pharmacists and manufacturers of proprietary medicines, for use in compounding medicines, and to permit-holders for use and resale by them, for the purposes authorized by this act, but for no other purposes whatever; and all permits must be procured, as hereinafter provided, from the district court of the proper county at any term thereof after this act takes effect, and a permit to buy and sell intoxicating liquors, when so procured shall continue in force until revoked according to law. Provided further that this section shall not be construed to prevent licensed physicians from dispensing in good faith such liquors as medicine to patients actually sick and under their treatment at the time of such dispensing. Provided further that in case of death or other disability of any Registered Pharmacist the administrator Guardian or legal Representative of such Pharmacist may continue such business subject to the provisions of this act through the Agency of any Reputable Registered Pharmacist conditioned upon their being first obtained the approval of the district court or clerk thereof provided further that before entering upon such duties such party or person shall file with the clerk of said court a bond as herein provided to be approved by the clerk of said court.

Traffic for-  
bidden except  
to holders of  
permits.

Permits, how  
procured.

Physicians  
not prevented  
from dis-  
pensing.

May be con-  
tinued by  
Representa-  
tive.

Application  
for permit.  
Publication.

SEC. 3. Notice of an application for a permit must be published for three consecutive weeks in a newspaper regularly published and printed in the English language, and of general circulation in the city or town where the applicant proposes to keep and sell intoxicating liquors, or if there be no newspaper regularly published in such city or town such publication shall be made in one of the official papers of the county, the last of which publication shall be not less than ten days nor more than twenty days before the first day of the term; and state the name of the applicant, with the firm name under which he is doing business, the purpose of the application, the particular location or the place where the applicant proposes to keep and sell liquors, and that the petition provided for in the next section, will be on file in the clerks office, at least ten days before the first day of the term, naming it, when the application will be made, and a copy thereof shall be served personally upon the county attorney in the same manner and time as required for service of original notices in the district court.

Copy served  
on Co. Atty.

Application  
filed with  
clerk of court  
10 days before  
term.

Must be a  
citizen of  
Iowa and reg-  
istered phar-  
macist.

Statements in  
application.

As to revoked  
permits.

SEC. 4. Applications for permits shall be made by petition signed and sworn to by the applicant and filed in the office of the clerk of the district court of the proper county at least ten days before the first day of the term, which petition shall state the applicant's name, place of residence, in what business he is then engaged, and in what business he has been engaged for two years previous to filing the petition; the place, particularly describing it, where the business of buying and selling liquor is to be conducted; that he is a citizen of the United States and of the State of Iowa; that he is a registered pharmacist and now is, and for the last six months has been lawfully conducting a pharmacy in the township or town wherein he proposes to sell intoxicating liquors under the permit applied for, and as the proprietor of such pharmacy, that he has not been adjudged guilty of violating the law relating to intoxicating liquors within the last year next preceding his application; and is not the keeper of a hotel, eating house, saloon, restaurant or place of public amusement; that he is not addicted to the use of intoxicating liquors as a beverage and that he desires a permit to purchase, keep and sell such liquors for lawful purposes only. And every applicant who has at any time taken out a permit under this act

which said permit has been revoked shall if he again apply for a permit, file with such application the further statement under oath, that he has not within the last two years next preceding his application, been knowingly engaged employed or interested in the unlawful manufacture, sale or keeping for sale of intoxicating liquors.

*"Provided further,* when a pharmacist has procured a permit, and by reason of the expiration of his lease, or for any

other good reason he desires to change his locality to another <sup>Change in</sup> place in the same township, town, or ward, the court may grant <sup>location.</sup> to him on his petition, the right to continue business under his permit in the same township, town or ward, in which the permit is granted."

Sec. 5. This permit shall issue only on condition that the applicant shall execute to the State of Iowa a bond in the penal sum of one thousand dollars with good and sufficient sureties to be approved by the Clerk of the Court, conditioned that he will well and truly observe and obey the laws of Iowa, now or hereafter in force, in relation to the sale of intoxicating liquors, that he will pay all fines, penalties, damages and costs that may be assessed or recovered against him for a violation of such laws during the term for which said permit is granted. The said bond shall be deposited with the county auditor, and suit shall be brought thereon at any time by the county attorney, or any person for whose benefit the same is given, and in case the conditions thereof or any of them shall be violated, the principals and sureties therein, shall be jointly and severally liable for all civil damages, costs and judgments, that may be obtained against the principal in any civil action brought by a wife, child, parent, guardian, employer or other person, under the provisions of section fifteen hundred and fifty-six, fifteen hundred and fifty-seven and fifteen hundred and fifty-eight of the Code of Iowa, as the same is amended and now in force, and section twelve, chapter sixty-six, acts of the Twenty-first General Assembly of the State of Iowa. The clear proceeds of all other money collected for breaches of such bond shall go to the school fund of the county. Said bond shall be approved by the clerk of the district court under the rules and laws applicable to the approval of official bonds. If at any time the sureties or any of them on said bond shall become insolvent or be deemed insufficient by the clerk of the District Court said clerk shall require a new bond to be executed within a time to be fixed by him, and a failure of the person holding such permit to execute such new and sufficient bond within the time fixed by said clerk therefor shall cause said permit to become null and void. If the application for the permit is granted it shall not issue until the applicant shall make and subscribe an oath before the clerk, which shall be indorsed upon the bond to the effect and tenor following:

"I ..... do solemnly swear (or affirm) that I will well and truly perform all and singular the conditions of the within bond, and keep and perform the trust confided in me to purchase, keep and sell intoxicating liquors. I will not sell, give or furnish to any person any intoxicating liquors otherwise than as provided by law, and, especially, I will not sell or furnish any intoxicating liquors to any person who is

Use of bond.

Money col-  
lected on  
breach of  
bond.

Approval of  
bond.

New bond  
may be re-  
quired.

Failure to  
give new  
bond.

Form of oath.

**Customer must be personally known.** not known to me personally, or duly identified; nor to any minor, intoxicated person or persons who are in the habit of becoming intoxicated; and I will make true, full and accurate returns of all certificates and requests made to or received by me as required by law; and said returns shall show every sale and delivery of such liquors, made by or for me during the months embraced therein, and the true signature to every request received and granted; and such returns shall show all the intoxicating liquors sold or delivered to any and every person as returned."

**Returns.**

**Returns.**

**Clerk shall issue permit.**

Upon taking said oath and filing bond as hereinbefore provided, the clerk shall issue to him a permit authorizing him to keep and sell intoxicating liquors as in this act provided; and every permit so granted, shall specify, the building, giving the street and number, or location in which intoxicating liquors may be sold by virtue of the same, and the length of time the same shall be in force.

**Court shall hear applicant on first day of term.**

SEC. 6. No application for a permit shall be considered or acted upon by the court until the requisite notice has been given and petition filed as provided by this act and each is in form and substance such as required. On the first day of the term, having ascertained that the application is properly presented the court shall proceed to hear the application, unless objection thereto be made, in which case the court shall appoint a day during the term, but not later, when the same shall be heard; and in doing so shall consider the convenience of the court, and the interested parties and their council so far as the state of the business and the necessities of the case will permit.

**Hearing prevented.**

If unavoidable causes prevent a hearing during the regular time allotted to the term, the same shall be heard and disposed of in vacation by the judge as soon as practicable thereafter. The county attorney or other council or any five citizens may in person or by council appear and resist the application. Any remonstrance or objection thereto must be in writing and filed on or before noon of the first day of the said term or by such later time as may be fixed by the court, and before the date fixed for hearing and such remonstrance shall state specifically the objection thereto. And whether resisted or objection be made or not the court shall not grant the permit until it shall first be made to appear by competent

**Remonstrance or objection.**

evidence that the applicant is possessed of the character and qualifications requisite, is worthy of confidence and to receive the trust and will be likely to execute the same with fidelity; and that the statements made in his application are all and singular true, and, considering the population of the locality and the reasonable necessities and convenience of the people such permit is proper. If the application is resisted the court or Judge shall hear controversy upon the petitions,

**Moral qualifications.**

**In case application is resisted.**

remonstrances and objections, and the evidence offered and grant or refuse such permit, as the public good may require.

If there be more than one permit applied for in the same locality they shall all be heard at the same time, unless for good cause otherwise directed, and the court may grant or refuse any or all of the applications as will best subserve the public interest.

Sec. 7. Permits granted under this act shall be deemed trusts reposed in the recipients thereof, and may be revoked upon sufficient showing, by order of the court or judge thereof. Complaint may be presented at any time to the district court, or one of the judges thereof, which shall be in writing and signed and sworn to by three citizens of the county in which the permit was granted, and a copy of such complaint shall, with a notice in writing of the time and place of hearing be served on the accused, five days before the hearing, and if the complaint is sufficient, and the accused appear and deny the same, the court or judge shall proceed without delay, unless continued for cause to hear and determine the controversy, but if continued or appealed at the instance of the permit-holder, his permit to buy and sell liquors may in the discretion of the court be suspended pending the controversy. The complainant and accused may be heard in person or by council or both, and submit such proofs as may be offered by the parties; and if it shall appear upon such hearing, that the accused has in any way abused the trust or that liquors are sold by the accused or his employes in violation of law or if it shall appear that any liquor has been sold or dispensed unlawfully or has been unlawfully obtained at said place from the holder of the permit or any employee assisting therein, or that he has in any proceeding civil or criminal, since receiving his permit, been adjudged guilty of violating any of the provisions of this act or the acts for the suppression of intemperance, the court or judge shall by order revoke and set aside the permit; the papers and order in such case shall be immediately returned to and filed by the clerk of the court, if heard by the judge and the order entered of record as if made in court, and if in this or any other proceeding, civil or criminal, it shall be adjudged by the court or judge that any registered pharmacist, proprietor or clerk who has been guilty of violating this act or the act for the suppression of intemperance and amendments thereto, by unlawfully manufacturing, selling, giving away or unlawfully keeping with intent to sell intoxicating liquors, such adjudication may in the discretion of the Commissioners of Pharmacy, if such violations are thereafter repeated, work a forfeiture of his certificate of registration. It shall be the duty of the clerk to forward to the Commissioners of Pharmacy such transcripts without charge therefor, as soon as practicable after final judgment or order.

Permits deemed trusts.

Complaints heard by court.

Permit may be suspended.

Permit may be revoked.

Action entered of record.

Forfeiture of registration certificate.

Permits may be granted to others not pharmacists.

Usual proceedings.

Papers filed by clerk of court.

Costs in the case.

Fees.

Witnesses' mileage.

Certificate by purchaser. Contents.

Request may be refused.

Purchaser must be known to seller.

SEC. 8. Registered pharmacists who show themselves to be fit persons and who comply with all the requirements of this act, may be granted permits, and in any township where there is a registered pharmacist conducting a pharmacy and no pharmacist obtains a permit, if found necessary the court may grant a permit to one discreet person in such township not a pharmacist, but having all other qualifications requisite under this act, upon like notice and proceedings as pertain to permitted pharmacists and subject to the same liabilities, duties, obligations and penalties.

SEC. 9. The clerk of the court granting the permit shall preserve as a part of the record and files of his office all petitions, bonds and other papers pertaining to the granting or revocation of permits and keep suitable books in which bonds and permits shall be recorded. The books shall be furnished by the county like other public records. Whether said permit be granted or refused the applicant shall pay the costs incurred in the case, and when granted he shall make payment before any permit issue, except the court may tax the cost of any witnesses summoned by private persons resisting said application, and the fees for serving such subpoenas to such persons when it is shown that such witnesses were summoned maliciously, or without probable cause to believe their evidence material. A fee of one dollar and fifty cents shall be taxed for the filing of the petition and one dollar for entering the order of the court approving bond and granting said application, and witnesses shall be entitled to mileage and per diem as in other cases. And fees for serving notices and subpoenas shall be the same as in other cases in the district court.

SEC. 10. Before selling or delivering any intoxicating liquors to any person, a request must be printed or written, dated of the true date, stating the applicant is not a minor, and the residence of the signer, for whom and whose use the liquor is required, the amount and kind required, the actual purpose for which the request is made and for what use desired, and his or her true name and residence, and, where numbered, by street and number, if in a city, and that neither the applicant nor the person for whose use requested habitually uses intoxicating liquors as a beverage, and the request shall be signed by the applicant by his own true name and signature, and attested by the permit-holder who receives and fills the request by his own true name and signature in his own hand writing. But the request shall be refused, notwithstanding the statement made, unless the permit-holder has reason to believe said statement to be true, and in no case unless the permit-holder filling it personally knows the person applying, that he is not a minor, that he is not intoxicated, and that he is not in the habit of using intoxicating liquors as a beverage; or, if the applicant is not so personally known to

the permit-holder, before filling the said order or delivering the liquor he shall require identification, and the statement of a reliable and trustworthy person, of good character and habits, known personally to him, that the applicant is not a minor, and is not in the habit of using intoxicating liquors as a beverage, and is worthy of credit as to the truthfulness of the statements in the application, and this statement shall be signed by the witness in his own true name and handwriting, stating his residence correctly.

Sec. 11. On or before the 15th of January, March, May, July, September, and November of each year each permit holder shall make full returns to the county auditor of all requests filled by him and his clerks during the two preceding months and accompany the same with a written or printed oath duly taken and subscribed before the county auditor or notary public, which shall be in the following form, to-wit:

“I ..... being duly sworn, on oath state that Oath, form of the requests for, liquors herewith returned are all that were received and filled at my pharmacy (or place of business) under my permit during the months of ..... 18....; that I have carefully preserved the same and that they were filled up, signed and attested at the date shown thereon, as provided by law; that said requests were filled by delivering the quantity and kind of liquors required and that no liquors have been sold or dispensed under color of my permit during said months except as shown by the requests herewith returned and that I have faithfully observed and Faithful complied with the conditions of my bond and oath taken by observance. me thereon endorsed and with all the laws relating to any duties in the premises.”

Every permit holder shall keep strict account of all liquors purchased or procured by him in a book kept for that purpose which shall be subject at all times to the inspection of the Commissioners of Pharmacy and the county attorney, any grand juror Sheriff or Justice of the Peace of the county and such book shall show of whom such liquors were purchased or procured, the amount and kind of liquors purchased or procured, the date of receipt and amount sold also the amount on hand of each kind for each two months, such book shall be produced by the party keeping the same, to be used as evidence on the trial of any prosecution against him or against liquors alleged to have been seized from him or his house, on notice duly served that the same will be required as evidence; and at the same time he returns requests to the county auditor he shall file a statement of such account with such auditor except that the items of sales need not be embraced therein, but the aggregate amount of each kind shall be, and such statement shall be verified, before the county auditor or a notary public. All forms necessary to carry out the provis- Strict account of purchases to be kept. Items of book account. Necessary forms to be provided.

ions of this act not otherwise provided for shall be as may be provided by the Commissioners of Pharmacy.

**Permit holder or clerk.** Sec. 12. Every permit holder or his clerk under this act, shall be subject to all the penalties, forfeitures and judgments and may be prosecuted by all the proceedings and actions criminal and civil, and whether at law or in equity provided for or authorized by the laws now or hereinafter in force for any violation of this act, and the act for the suppression of intemperance and any law regulating the sale of intoxicating liquors and by any or all of such proceedings applicable to complaints against such permit holder; and the permit shall not shield any person who abuses the trust imposed by it or violates the laws aforesaid, and in case of conviction in any proceeding civil or criminal all the liquors in possession of the permit holder may by order of the court be destroyed.

**Permits not a shield.** On the trial of any action or proceeding against any person for manufacturing, selling, giving away or keeping with intent to sell intoxicating liquors in violation of law, or for any failure to comply with the conditions or duties imposed by this act, the requests for liquors and returns made to the auditor as herein required, the quantity and kinds of liquors sold or kept, purchased or disposed of, the purpose for which liquors were obtained by or from him and for which they were used, the character and habits of sobriety or otherwise, shall be competent evidence and may be considered so far as applicable to the particular case with any other recognized, competent and material facts and circumstances bearing on the issues involved in determining the ultimate facts. In any suit, prosecution or proceeding for violations of this act or the acts for the suppression of intemperance, and acts amendatory thereof, the court may compel the production in evidence of any books or papers required by this act to be kept, and may compel any permit holder, his clerk or any person who has purchased liquors of either of them to appear and give evidence, and the claim that any such testimony or evidence will tend to criminate the person giving such evidence shall not excuse such person or witness from testifying or producing such books or papers in evidence; but such oral evidence shall not be used against such person or witness, on the trial of any criminal proceeding against him. Any number of distinct violations of this act may be charged in one indictment or information in different counts and all tried in the same action, the jury specifying the counts, if any, on which the defendant is found guilty.

**On conviction liquor to be destroyed.** Sec. 13. Registered pharmacists, conducting pharmacies and not holding permits, and manufacturers of proprietary medicines are hereby authorized to purchase of permit holders intoxicating liquors (not including malt) for the purpose of compounding medicines, tinctures and extracts that cannot be

**Failure to report to Auditor.**

**Evidence.**

**Books in evidence.**

**Tendency to criminate no excuse.**

**All counts tried in one action.**

**May be purchased for compound.**

used as a beverage. Such purchasers, shall keep a record of Purchaser uses to which the same are devoted, giving the kind and quantity so used. must keep record.

And on or before the 15th day of January, March, May, July, September, and November of each year they shall make Bi-monthly report to Co. and file with the county auditor sworn reports for the two preceding calendar months, giving full and true statements of the quantity and kinds of such liquors purchased and used, the uses to which the same have been devoted. The Commissioners of Pharmacy are hereby empowered to make such further rules and regulations with respect to the purchase, use and keeping of such liquors as they may deem proper for the prevention of the abuses of the trusts reposed in such purchasers, and if the said registered pharmacist sell, barter, give away, exchange or in any manner dispose of said liquors, or use the same for any purpose other than authorized in this section he shall, upon conviction before any district court Penalty for violation. be liable to all the penalties, prosecutions and proceedings at law or in equity provided against persons selling without a permit, and upon any such conviction the clerk of the district court shall within ten days after said judgment or order transmit to the Commissioners of Pharmacy the certified record thereof, upon receipt of which the Commission may strike his name from the list of pharmacists and cancel his certificate. Provided, that nothing herein contained shall be construed to authorize the manufacture or sale of any preparation or compound under any name, form or device, which may be used as a beverage and which is intoxicating in its character. Certificate may be cancelled.

Sec. 14. Every permit-holder is hereby authorized to ship Permit holder may ship. to registered pharmacists and manufacturers of proprietary medicines, intoxicating liquors to be used by them for the purposes authorized by this act.

And all railway transportation and express companies, and other common carriers, are authorized to receive and transport the same upon presentation of a certificate from the Clerk of the District Court of the county where the permit-holder resides, that such person is permitted to ship intoxicating liquors, under the provision of this act. Common carriers authorized to trans- port.

Sec. 15. A permit-holder may employ one or more registered pharmacists as clerks, to sell intoxicating liquors in conformity to the permit and provisions of this act, but in such case the acts of his clerks in conducting the business shall be deemed the acts of the permit-holder who shall be liable therefor as if he had personally done the acts, and in making returns the verification of such requests as may have been received, attested and filled by a clerk must be made by such clerk, and the clerk who transacted any of the business under Acts of clerks deemed acts of principal. the permit must join in the general oath required of the Clerk must join in oath.

Old permits  
expire Jan.  
1891.

Convictions.

Fines paid to  
Co. Treas.

Pharmacy  
Com. may  
draw 50 per  
cent of fines.

Phar. Com.  
may revoke  
certificate.

False state-  
ments to ob-  
tain liquors.

Penalty.

False oath by  
permit hold-  
er.

employer so far as relates to his own connection therewith. If for any cause a registered pharmacist who holds a permit shall cease to hold a valid and subsisting certificate of registration or renewal thereof his permit shall thereby be forfeited and be null and void.

SEC. 16. Any person holding a permit in force when this act takes effect may continue to purchase, keep and sell intoxicating liquors (according to law) for the time provided in such permit, unless sooner revoked. But all such permits shall expire not later than January 1st, 1891.

SEC. 17. If any person shall be convicted of violating any of the provisions of this act or acts regulating the practice of pharmacy or any acts for the suppression of intemperance, or amendments thereto by reason of a prosecution by the Commissioners of Pharmacy, the clear proceeds of all fines so imposed and collected shall be paid into the county treasury of the proper county for the use of the school fund, and the Commissioners of Pharmacy shall be entitled to draw from the state treasury an amount not exceeding 50 per cent of the amount of the fines so collected, to be used solely in prosecutions instituted by them for failure to comply with the provisions of this act or of the acts regulating the practice of pharmacy. And the court or clerk thereof before whom any prosecution is instituted and prosecuted by the Commissioners of Pharmacy shall certify to the Auditor of State, all cases in which they have appeared as prosecutors, either in person or by their attorney, and the amount of fines imposed and collected in such cases. And the Commissioners of Pharmacy shall have the power to revoke the certificate of registration of pharmacists for repeated violation of this act. Said amount to be drawn from time to time upon the warrants of the State Auditor, which shall issue for the payment of expenses actually incurred in said prosecution after said expenses shall have been audited by the Executive Council.

SEC. 18. If any person shall make any false or fictitious signature or sign any name other than his or her own to any paper required to be signed by this act or make any false statement in any paper or application signed to procure liquors under this act, the person so offending shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than twenty (20) dollars nor more than one hundred (100) dollars and cost of prosecution, and shall be committed until said fine and costs are paid, or be imprisoned not less than ten nor more than thirty days. If any permit-holder or his clerk shall make false oath touching any matter required to be sworn to under the provisions of this act, the person so offending shall upon conviction thereof be punished as provided by law for perjury. If any person holding a permit under this law shall purchase or procure any

intoxicating liquor otherwise than authorized by this act, or ~~make any false return to the county auditor, or use any~~ <sup>False returns to Co. Auditor.</sup> request for liquors for more than one sale, in any of such cases he shall be deemed guilty of a misdemeanor, and upon conviction punished accordingly.

Sec. 19. Nothing in this act shall be construed to abate <sup>Proceedings already begun not abated.</sup> any action or proceeding now pending in any court in this State for a violation of the provisions of the sections hereby repealed, or to operate to bar any prosecutions hereafter brought for any such violations committed prior to the passage and taking effect of this act.

Sec. 20. The Superior Courts of this State and the Judges <sup>Superior Courts have jurisdiction.</sup> and Clerks thereof shall have and exercise the same powers and duties as are in this act specified for district Courts their Judges and Clerks as to granting and revoking permits.

Sec. 21. This act being deemed of immediate importance <sup>Publication.</sup> shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 18, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 28, and *Des Moines Leader* April 22, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 36.

### PHARMACISTS REGISTERED WITHOUT EXAMINATION.

AN ACT to amend section one of chapter one hundred and thirty seven (137) Acts of the nineteenth (19th) general assembly relating to pharmacists registered without examination. <sup>S. F. 313.</sup>

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION ONE (1). That section one (1) of chapter one hundred and thirty seven (137) Acts of the 19th General Assembly be amended by inserting after the word "examination" in the fifth (5th) line the words "shall not" and by striking out the words "who has thus forfeited his registration" in the ninth (9th) line and by striking out the word "is" in the tenth (10th) line and inserting in lieu thereof "will not be." <sup>Certain pharmacists do not forfeit registration when parting with business.</sup>

Approved April 15, 1890.

## CHAPTER 37.

## ELECTION OF COUNTY AUDITOR.

S. F. 7. AN ACT to amend Sec. 589 of the Code in reference to the election of County Auditor.

*Be it enacted by the General Assembly of the State of Iowa:*

**Election same year as Recorder of Deeds.** SECTION 1. That Sec. 589 of the Code, be amended as follows by inserting after the word deeds in 3rd line of said sec the words "And County Auditor" and by striking out of same in said section—after the word year—the words "An Auditor."

**Auditors elected in 1889 hold until Jan. 1893.** SEC. 2. All county auditors elected in the year 1889 shall hold their office until the first Monday in January A. D. 1893 or until their successors are duly elected and qualified, such successors shall be elected in the year 1892 and each even numbered year thereafter.

**New bond to be filed in 1892 for one year.** SEC. 3. It shall be the duty of the County Auditor of each County to present at the regular January meeting in 1892 of the Board of Supervisors of his County, a good and sufficient bond, in such penal sum and with such conditions as are now prescribed by law for the official bond of such Auditor, which said bond shall be the official bond of said Auditor for the year 1892 and shall be subject to approval as now provided by law for the approval of bonds of County Auditors.

**Failure to bond creates a vacancy.** And in case any County Auditor shall fail to furnish such bond as in this Section required to be presented and approved, such failure shall create a vacancy in the office of such County Auditor in his County for the year 1892, and such vacancy shall therenon be filled as now provided by law for filling vacancies in said office.

Approved April 5, 1890.

## CHAPTER 38.

### CONVEYANCE OF REAL PROPERTY UNDER FOREIGN WILLS.

AN ACT to legalize conveyances of real property by executors or trustees under foreign wills.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. All conveyances of real property which have heretofore been executed by executors or trustees under foreign wills and which were thus executed prior to the expiration of three months after the recording of a duly authenticated copy of the will, original record of appointment, qualification and bond, as required by Chapter 162 Acts of the Eighteenth General Assembly, are hereby legalized and declared as valid and effectual in law as though the provisions of said chapter had been strictly followed provided that the proper proof of authority shall have actually been a matter of record in the county where the real property is situated at the time the conveyance was executed or shall have been made a matter of record prior to the passage of this act.

Approved, April 15th, 1890.

## CHAPTER 39.

### ASSESSMENT OF CAPITAL STOCK OF BANKING ASSOCIATIONS.

AN ACT to provide for assessment for taxation of the shares of capital stock of Banking Associations organized under the general incorporation laws of this State.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. All shares of the capital stock of banking associations organized under the general incorporation laws of this state known as state or commercial banks, shall be assessed to such banks in the city or town wherein located, and not to the individual shareholders.

Approved April 10th, 1890.

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## CHAPTER 40.

### LEGAL RATE OF INTEREST.

S. F. 88. AN ACT to amend Section 2077, Code of Iowa, relating to Interest.

*Be it enacted by the General Assembly of the State of Iowa:*

<sup>Legal rate  
changed from  
10 to 8 per  
cent.</sup> SECTION 1. That sub-division 7 of section 2077, Code of Iowa, be and the same is hereby amended by striking out the words "ten cents" in line four of said sub-division, and inserting in lieu thereof the words "eight cents."

Approved March 21st 1890.

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## CHAPTER 41.

### BOARDING PRISONERS,—SHERIFF'S FEES.

S. F. 105. AN ACT to amend section seventeen, chapter ninety-four, laws of the Nineteenth General Assembly.

*Be it enacted by the General Assembly of the State of Iowa:*

<sup>Not more  
than 50 cts.  
fixed.</sup> SECTION 1. That Sec. 17, Chap. 94, Laws of the 19th General Assembly be amended by striking out of the second line the word "less" and inserting the word "more."

Approved March 28th 1890.

## CHAPTER 42.

## GUARDIANS FOR HABITUAL DRUNKARDS.

AN ACT to amend Section 2272 of the Code of 1873, and to provide H. F. 78. for appointing guardians of the person of habitual drunkards, and for the custody, restraint, and confinement of habitual drunkards, and their reformation, under orders of the district court, or the judge thereof; and for terminating such guardianship.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That Section 2272 of the Code of 1873 be, and <sup>Guardian of</sup> hereby is amended by adding thereto the following: <sup>property to be guardian of person.</sup> Such court may also appoint the guardian of the property of an habitual drunkard as the guardian of his person. If the person adjudged to be an habitual drunkard has no property, the court may appoint a guardian of his person.

SEC. 2. The District Court, or any Judge thereof, may, <sup>Order for restraint may be issued.</sup> from time to time, enter such orders as may be necessary, authorizing the guardian of the person of such habitual drunkard to confine and restrain him in such manner and in such place within this State as may, by the Court or Judge, be considered best for the purpose of preventing such drunkard from using intoxicating liquors, and as may tend to his reformation. Such orders may be modified, changed or vacated by such court, or any Judge thereof until the guardianship shall be terminated as hereinafter provided. Such person shall, at all reasonable times, have the right to confer with his attorney; and he may, at any time, apply to the District Court, or any Judge thereof, for the modification or vacation of any existing order as to his confinement and restraint. <sup>Application for modification or vacation of order.</sup> Any application for the entry or modification or vacation of any order relative to such confinement or restraint, made by the guardian or his ward, shall be heard upon such notice to the other party as the said court or Judge may direct.

SEC. 3. At any time not less than six months after the appointment of such guardian, the person adjudged to be an habitual drunkard may apply to the District Court, or any Judge thereof, by petition in the Guardianship proceedings, alleging that he has reformed, and is no longer an habitual drunkard, and asking that the guardianship may be termin- <sup>Application for termination of guardianship.</sup>

Notice of denial filed.

Jury trial.

Cost when taxed to ward or guardian.

When termination is denied.

ated. Notice of such petition shall be served upon the guardian in such manner and for such length of time as the Court or Judge may direct, requiring the guardian to answer such petition at or before a time to be fixed in said notice. If the guardian shall file an answer denying the allegations of the petition, the court or Judge shall try the issue, unless the person under guardianship shall demand a Jury trial in which event the issue shall be tried in court by a jury as speedily as may be practicable. The costs of such proceeding shall be paid by the ward, unless the Court or Judge shall enter Judgment terminating the guardianship, and shall find that the guardian resisted the petition therefor without reasonable cause, in which event the court or Judge may tax the costs or any part thereof against the guardian.

If any petition for terminating the guardianship shall be denied, no other petition shall be filed to terminate the guardianship until at least four months shall have elapsed since the denial of the former petition.

Approved May 1st, 1890.

## CHAPTER 43.

### ARREST TRIAL AND PUNISHMENT OF TRAMPS.

S. F. 60.

AN ACT relating to tramps, their arrest, trial and punishment, and prescribing penalties for violation of this Act, and repealing Chapter 69, Laws of the Sixteenth General Assembly.

*Be it enacted by the General Assembly of the State of Iowa:*

Chap. 60 acts 16 G. A. repealed.

Persons having no visible calling or business deemed a tramp.

If convicted punished by imprisonment.

Intimidation.

SECTION 1. That chapter 69, laws of the sixteenth general assembly, is hereby repealed.

Sec. 2. Any male person sixteen years of age or over, who is physically able to perform manual labor, and is a vagrant within the purview of section 4130 of the code, who is wandering about practicing common begging, or is wandering about having no visible calling or business to maintain himself and unable to show reasonable efforts and in good faith to secure employment shall be deemed a tramp.

Sec. 3. Any person convicted of being a tramp shall be punished by imprisonment at hard labor in the county jail not exceeding ten days, or by imprisonment in such jail in solitary confinement not exceeding five days.

Sec. 4. Any tramp who shall watonly or maliciously, by means of violence, threats, or otherwise, put in fear any

inhabitant of this state, or who shall enter any public building, Entering property of house, barn or out-building belonging to any other person, another. with intent to commit some unlawful act, or who shall carry any fire-arm or other dangerous weapon, or who shall inde- Carrying fire-arms. cently expose his person, or who shall be found drunk and disorderly, or shall commit any offense against the laws of this state for which no greater punishment is provided, shall, be guilty of a misdemeanor and on conviction thereof, shall be punished by imprisonment at hard labor in the county jail Exposure of person. not exceeding thirty days, or by imprisonment in such jail in solitary confinement not exceeding ten days, nor less than three days.

Sec. 5. If two or more tramps shall assemble or congre- Fees where gate together within this state, they shall be tried jointly by more than one the court before whom they shall be brought and the justice of the peace, mayor or police magistrate shall only be entitled to fees as in proceedings for the arrest and trial of one person.

Sec. 6. The Board of Supervisors shall at their regular meeting held in June of each year fix the compensation to be allowed to the officers under this act. To the trial magistrate not exceeding two dollars and to the peace officer for all service, except making arrest, not more than one dollar and mileage as now allowed by law and for making arrest the same fee as now allowed for similar service in other cases. Fees fixed by Boards of Supervisors.

Sec. 7. It shall be unlawful for any sheriff, or the keeper of any jail to permit any person convicted under this act to have or possess any tobacco, intoxicating liquors, sporting or illustrated newspaper, cards, or any other article of amusement or pastime, or to permit such person to be kept or fed otherwise than stated in the commitment, and any sheriff or keeper of any jail, or other person who shall in any manner knowingly violate this section, shall, upon conviction thereof, be punished by a fine not exceeding one hundred dollars, nor less than twenty-five dollars. Duty of jail keeper. Punished for neglect of duty.

Sec. 8. Any officer or magistrate who shall conspire with any other officer or person for the purpose of increasing the emoluments of his office, or for any other unlawful purpose, to evade the provisions of this act, or who shall, with such intent, in any manner, or by any means, encourage such tramp to remain within his bailiwick or jurisdiction, or to come within the same; shall, upon conviction thereof, be punished by a fine not exceeding one hundred dollars, and shall be committed until said fine and the costs in said trial are paid, but not to exceed thirty days. Conspiracy to evade this act. Punishment for same.

Sec. 9. It shall be the duty of the sheriff or keeper of any jail, under the direction of the board of supervisors, as provided in chapter 153. of the laws of the twenty-first general assembly, or as otherwise provided by law, to keep all persons sentenced to imprisonment at hard labor in such jail under Tramps to be kept at hard labor.

Tramps may be worked on streets.

Refusal to work punished.

Food.

No compensation to be allowed hereafter for tramps board.

County officers to comply.

this act, at work according to law, doing such work as the board of supervisors may provide, and such sheriff or keeper is hereby authorized, and it is made his duty to appoint or detail any deputy or other police officer to guard such prisoners while at work. Or he may turn over such prisoners to the municipal authorities of any city or town, to be by them worked on the streets or at such labor as the town may provide.

SEC. 10. Any tramp who has been duly sentenced to hard labor under the provisions of this act, who wantonly or willfully refuses to work, shall be punished by such jailor while so refusing, by imprisonment in solitary confinement in the county jail not exceeding ten days during which time he shall be fed on bread and water; provided, that such punishment shall not exceed the time for which he is sentenced.

SEC. 11. Hereafter no sheriff or jailor shall receive, and no board of supervisors shall allow, any compensation for keeping or boarding any tramp in the jail or any other place of any county in this state, unless such tramp shall have been duly arrested or committed under the provisions of this act; provided, that the board of supervisors of each county shall have power to furnish one night's lodging only for apparently deserving persons and provided farther that all such persons who are sick or disabled, may be cared for as the necessities of the case demand. And all county officers shall comply with the requirements of the board of supervisors in relation to the persons mentioned in this section.

Approved May 3rd, 1890.

## CHAPTER 44.

### ENCOURAGEMENT OF HORTICULTURE AND FORESTRY.

S. F. 410.

AN ACT to amend Chapter 25 of the laws of the Fourteenth General Assembly entitled an act for the encouragement of Horticulture and Forestry.

*Be it enacted by the General Assembly of the State of Iowa:*

Annual meetings for election of officers.

SECTION 1. That Chapter Twenty-five of the laws of the Fourteenth General Assembly be amended by striking out Article three and inserting in lieu thereof the following: "Said society shall hold its annual meeting each year for the transaction of its business at such time as may be fixed by said society, at which meeting officers shall be elected as follows: A president, vice-president, secretary, treasurer and librarian,

who shall serve one year. The society shall also elect one half of a board of directors, the full board not to exceed twelve in number, who shall serve two years, except vacancies on the board may be filled for the unexpired term." Election of board of directors.

Approved May 3d, 1890.

## CHAPTER 45.

### ESTABLISHING LABOR DAY AS A HOLIDAY.

AN ACT to amend Section 2094 of the Code of 1878, establishing S. F. 5. "Labor Day" as a legal holiday.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That section 2094 of the Code of Iowa is Labor Day established. hereby amended by inserting therein, after the words "4th day of July," the following:—"the first Monday in September, to be known as "Labor Day";

Approved April 5th 1890.

## CHAPTER 46.

### ESCAPE SHAFTS IN COAL MINES.

AN ACT to amend section 9, Chapter 21, Acts of the 20th General Assembly, as amended by Section 2, Chapter 56, Acts of the Twenty-second General Assembly, relative to escape shafts in coal mines. S. F. 125.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That Section 9, Chapter 21, of the Acts of the Twentieth General Assembly, as amended by Section 2, Chapter 56, Acts of the Twenty-second General Assembly, be so amended as to read as follows: Chap. 21, acts 20 G. A., Chap. 56, acts 22 G. A. amended.

Section 9. In all mines there shall be allowed one year to make outlets as provided in Section 8, when such mine is under two hundred feet in depth, and two years when such mine is over two hundred feet in depth; but not more than twenty men shall be employed in such mine at any one time until the pro-

Time allowed to make outlets.

Number of men employed.

Abandoned  
mines.

Ten men may  
be employed  
at all times.

visions of section eight are complied with; [provided that in the case of mines over two hundred feet in depth, there shall be allowed three years on the condition that during the third year not more than ten men shall be employed in such mine at any one time and provided further, that in cases where the two years shall already have expired, a third year shall be allowed after the taking effect of this Act;] and after the expiration of the period above mentioned should said mines not have the outlets aforesaid, they shall not be operated until made to conform to the provisions of section eight. And provided further, that this act shall not apply to mines where the escape way is lost or destroyed by reason of the drawing of pillars preparatory to the abandonment of the mine; provided that not more than twenty persons shall be employed in said mine at any one time.

Sec. 2. And provided further, that ten men or less may be lawfully employed in any coal mine without reference to the provisions of this or any other act.

Approved April 17, 1890.

## CHAPTER 47.

### PROTECTION OF LABORERS.

S. F. 372.

AN ACT to protect laborers and miners for labor performed in developing and working in Coal mines, additional to Chapter 100 Acts of the 16th General Assembly and Chapter 179, Acts of the 20th General Assembly.

*Be it enacted by the General Assembly of the State of Iowa:*

Labor per-  
formed in  
opening and  
developing  
mines a lien  
upon the  
property.

SECTION 1. Every laborer or miner who shall perform labor in opening and developing any coal mine, including sinking shafts, constructing slopes, or drifts, mining coal and the like, shall have a lien upon all the property of the person, firm or corporation, owning, constructing or operating such mine, used in the construction or operation thereof, including real estate, buildings, engines, cars, mules, scales and all other personal property, for the value of such labor for the full amount thereof, upon the same terms with the same rights and to be secured and enforced as mechanics' liens are secured and enforced.

Sec. 2. This act being deemed of immediate importance <sup>Publication.</sup> shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader newspapers published in Des Moines, Iowa.

Approved April 30th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* May 7 and the *Des Moines Leader* May 8, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 48.

### CLAIMS FOR WAGES.

AN ACT to Protect Employees and Laborers in their Claims for Wages. <sup>Sub for H. F. 274.</sup>

*Be it enacted by the General Assembly of the State of Iowa:.*

SECTION 1. That hereafter, when the property of any company, corporation, firm or person shall be seized upon by any process of any court of this State; or when their business shall be suspended by the action of creditors or be put into the hands of a receiver or trustee, then in all such cases, the debts owing to laborers or servants, which have accrued by reason of their labor or employment to an amount not exceeding One Hundred dollars to each employe for work or labor performed within ninety days next preceding the seizure or transfer of such property, shall be considered and treated as preferred debts and such laborers or employes shall be preferred creditors, and shall first be paid in full; and if there be not sufficient to pay them in full, then the same shall be paid <sup>To be paid in</sup> to them *pro rata* after paying costs. Any such laborer or servant desiring to enforce his or her claim for wages under this Act shall present a statement under oath showing the amount due after allowing all just credits and set-offs, the <sup>Statement</sup> <sup>under oath.</sup> kind of work for which such wages are due, and when performed, to the officer, person or court charged with such property within ten days after the seizure thereof on any execution or writ of attachment, or within thirty days <sup>after the same</sup> may have been placed in the hands of any receiver or trustee; <sup>Receiver or trustee to pay in 30 days.</sup> and thereupon it shall be the duty of the person or court receiving such statement to pay the amount of such claim or claims to the person or persons entitled thereto (after first paying all costs occasioned by the seizure of such property) out of the proceeds of the sale of the property seized; *Provided* that any person interested may contest any such claim

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Exceptions filed. or claims or any part thereof by filing exceptions thereto, supported by affidavit, with the officer having the custody of such property and thereupon the claimant shall be required to reduce his claims to judgment before some court having jurisdiction thereof, before any part thereof shall be paid.

Approved May 5th, 1890.

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## CHAPTER 49.

### VACANCY IN OFFICE OF COUNTY RECORDER.

S. F. 223. AN ACT to provide for temporarily filling vacancy in the office of County Recorder.

*Be it enacted by the General Assembly of the State of Iowa:*

County Auditor to act in case of vacancy. SECTION 1. That in case of vacancy occurring in the office of County Recorder by death or otherwise: That the County Auditor be and is hereby required to discharge the duties pertaining to said office until such vacancy shall be filled by appointment made by the Board of County Supervisors.

Publication. SEC. 2. This act being of importance shall be in force from and after publication in the Iowa State Register and Des Moines Leader.

Approved April 1st, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 4, 1890.

FRANK D. JACKSON, Secretary of State.

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## CHAPTER 50.

### APPOINTMENT OF STATE BANK EXAMINER.

S. F. 3. AN ACT providing for the appointment of State Bank Examiners, fixing their fees and the payment of the same.

*Be it enacted by the General Assembly of the State of Iowa:*

Auditor to appoint Bank Examiners. SECTION 1. The Auditor of State is authorized to appoint one or more bank examiners, who shall hold their office at the pleasure of the Auditor of State and who shall before entering upon their official duties, give bond with

approved sureties in the penal sum of Two Thousand dollars, for the faithful discharge of their duties which bonds shall be made to the State of Iowa, and be filed with the Auditor of State.

Sec. 2. All banks authorized by and acting under the supervision of the Auditor of State whether saving banks or state banks, so called, organized under the general incorporation laws of this state, shall pay the expense of such examinations which shall be as follows, viz: When such examinations are made by the Auditor of State he shall receive his necessary expenses only. When made by an examiner appointed by the Auditor of State he shall receive from banks possessing a paid up capital of Fifty Thousand Dollars or under, the sum of fifteen dollars. From Banks possessing a paid up capital of more than Fifty Thousand dollars and under One Hundred Thousand dollars, the sum of Twenty dollars—From Banks possessing a paid up capital of One Hundred Thousand Dollars and under Two Hundred Thousand Dollars the sum of Twenty-Five dollars. And from Banks possessing a paid up capital of Two Hundred Thousand dollars or over the sum of Thirty dollars.

Sec. 3. This Act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 24th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 30, 1890.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 51.

### REPORT OF COMMISSIONER OF LABOR STATISTICS.

AN ACT concerning the printing of the Biennial Report of the Commissioner of the Bureau of Labor Statistics. (Sec. 11 of Chap. 82, Acts Twenty-second General Assembly).

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. Section 11 of chapter 82 Acts of the Twenty-second General Assembly is hereby amended by adding to the <sup>S. F. 188.</sup> ~~creased to~~ <sup>Printed re-</sup> ~~ports in-~~ <sup>6,000.</sup> ~~6,000.~~ <sup>occurs in</sup> <sup>of the report</sup> line after the word "copies" where said word first occurs in said seventeenth line; the following "of the report of the Bureau of Labor Statistics 6,000 copies," the effect of

Cloth.

this amendment being that there shall hereafter be six thousand copies of the biennial report of the commissioner of the bureau of labor statistics printed and distributed.

SEC. 2. One thousand copies of said biennial report shall be bound in cloth.

Approved April 10, 1890.

## CHAPTER 52.

### PRINTING, BINDING AND DISTRIBUTION OF PUBLIC DOCUMENTS.

S. F. 312.

**AN ACT** in relation to the printing, binding and distribution of public reports.

*Be it enacted by the General Assembly of the State of Iowa:*

Name and  
number of  
documents to  
be printed.

SECTION 1. There shall be printed of the various public documents the number of copies hereinafter designated, to wit; of the biennial message, twelve thousand copies; of the inaugural address, of the biennial report of the Auditor of State, of the annual report of the Auditor upon insurance, of the report of the Superintendent of public instruction, of the report of the Agricultural College, of the report of the state board of health, and of the report of the bureau of Labor statistics, six thousand copies each; of the report of the commissioners of pharmacy, five thousand copies; of the report of the railroad commissioners, five thousand copies; thirty-five hundred of which shall be bound in cloth; of the report of the Secretary of State pertaining to lands, of the reports of the state visiting committee to the hospitals for the insane, the state inspector of oils, and the examiners in dentistry three thousand copies each of the reports of the joint committees of the General Assembly to visit state institutions, twenty-five hundred copies; and of all other reports, three thousand copies, provided that of the reports which may be required by virtue of statutes hereafter enacted, the number of copies to be printed thereof shall, where not provided for by law, be fixed by the Executive Council at any number not exceeding five thousand of said reports five hundred copies each, of the biennial message, inaugural address, auditor's biennial report, the report of the superintendent of public instruction, agricultural college, state board of health, commissioners of pharmacy, secretary of state pertaining to lands, secretary of states report of criminal convictions, the Auditors annual report pertaining to insurance, and the report of the bureau of Labor statistics, shall be bound in cloth, all other reports shall be bound

Executive  
council to fix  
number of  
new reports.

Binding in  
cloth.

in paper covers, and reports of the legislative visiting and Paper covers. special committee shall be printed and stitched without covers.

Sec. 2. The Secretary of State shall make distribution of Distribution of the documents by the various public documents turned over to him as follows: Sec'y of State.

To the members of the General Assembly six thousand copies of the message, fifteen hundred copies of the report of the Auditor of state, superintendent of public instruction and Agricultural college respectively, five hundred copies of the report of the commissioners of pharmacy, five hundred copies of the report of the secretary of state pertaining to lands, seven hundred copies of the reports of the joint visiting Committee of the General Assembly to the several state institutions, five hundred copies of the reports respectively of the state visiting committee to the hospitals for the insane, the state inspectors of oils and the examiners in dentistry, one thousand copies of the report of the state board of health, five hundred copies of the report of the state Treasurer, veterinary surgeon, Weather service, and pardons respectively Of all other reports seven hundred copies.

Sec. 3. Sec. 11 and paragraph A of section 12 Chapter Part of Chap. 82, acts 22d G. laws of the twenty second General Assembly are hereby A. repealed.

Sec. 4. Sec. 9 Chapter 36 acts of the nineteenth General Assembly is hereby amended by striking therefrom the word "annual" in last clause and inserting instead the word "biennial".

Sec. 5. Sec. 13 Chapter 52 of the acts of the twenty first General Assembly is hereby amended by striking therefrom the words "such reports shall be published with the reports of the State Agricultural Society".

Approved May 1st, 1890.

## CHAPTER 53.

### INDUSTRIAL HOME FOR BLIND.

AN ACT to establish an Industrial Home for Adult Blind.

H. F. 33.

*Be it enacted, by the General Assembly of the State of Iowa:*

SECTION 1. There is hereby created and established for adult blind persons residing within the State of Iowa "The Industrial Home For The Blind", and there is hereby appropriated Forty Thousand Dollars or so much thereof as may be necessary out of any money in the treasury, for the purchase of suitable

Home estab-  
lished.  
\$40,000 appro-  
priated for  
grounds,  
buildings,  
etc.

grounds and buildings, or for the purchase of grounds and the construction of suitable buildings, and for furnishing and supplying said buildings and shops, as hereinafter described, with the necessary machinery and appliances for the convenient and proper use, in accordance with the provisions hereof.

Object of Home.

SEC. 2. The object of the Industrial Home For Adult Blind, shall be to provide a working home and means for the blind to earn and provide their own subsistence.

Five commissioners appointed to locate.

SEC. 3. The Governor of the State shall appoint, on or before the first day of May, 1890, a board of five commissioners of said Industrial Home, (at least one of whom shall be a women) and not more than three members of the same political party who shall hold their offices for two years and until their successors are appointed. Said board shall select location and site for said Home, and shall superintend the construction, building, furnishing and equipping of the Home and Shops provided by this act. Three of said Commissioners, when convened for business, shall constitute a quorum for the transaction of any business.

Quorum.

The Board of Commissioners provided for in this act, shall determine, as soon as practicable after their appointment, the location of said Home: and, if suitable grounds be not donated for the Home, said Commissioners shall purchase a site for said Home and locate it. The Location of said Home shall be made with reference to healthfulness, shipping facilities, and accessibility to the people of the State. The compensation of commission shall be four dollars per day and necessary traveling expenses.

Deeds.

SEC. 4. All deeds conveying any lands or lots, for said Home, shall be executed to the State of Iowa, and shall convey an absolute title in fee simple to the Land so conveyed, and which conveyance shall be accompanied by an abstract of title showing such title to be perfect in the State of Iowa. When said deeds so executed and delivered, shall be deposited with the Auditor of State, who shall then draw his warrant upon the State Treasurer for the amount of the purchase price agreed to be paid therefor:

Warrant for amount of purchase.

Provided, if any donations of Lands or Lots shall be tendered to the State of Iowa, in aid of said Industrial Home, and such donation or donations shall be accepted by said Commissioners, then said Commissioners shall purchase only such additional lands or lots as may be necessary to complete the Home and Shops.

Donation.

SEC. 5. As soon as practicable after their appointment, said Board shall adopt plans and provide estimates and specifications for buildings to be erected. As soon as said plans estimates and specifications shall be adopted, said Board shall advertise and invite bids or proposals for the material, labor and construction of such buildings. Said advertisement shall

Plans for buildings.

Bids.

Publication.

be made in some newspaper of general circulation at the city or town, or in the county where said Home may be located, and such publication shall be for a period of not less than thirty days, if made in a daily newspaper and shall not be less than five publications if made in a weekly newspaper. Said Board of Commissioners shall have power to prescribe such rules and forms for making such proposals therefor as they may deem proper. All contracts shall be let to the lowest bidder complying with the terms prescribed by said Board. Lowest bidder.  
 In all contracts which may be made by said Board, for any material to be furnished, or for any work to be done, or for any of the purposes of this act, said Board shall require of the person, company, co-partnership or corporation a good and sufficient bond, in the penal sum of double the amount of the contract price for such material, labor or other supplies. All bonds herein provided for shall be filed at the Office of the Filing. Secretary of State.

SEC. 6. Said Board shall have the power to employ a competent architect, and appoint one of their own number as superintendent of construction, who shall receive such compensation as the Board may determine, not exceeding four dollars per day, and his necessary traveling expenses while engaged in actual service connected with the Home.

Said Board of Commissioners shall personally, examine all accounts of expenditures in the construction of any and all buildings or any parts of buildings, or for machinery or equipments of the shops, and for any and all other business in and manner pertaining to the construction, furnishing, equipment of shops, or the conduct of the business of the Home, and no warrant shall be drawn upon the Treasurer of State until such account shall have been examined and audited by said board. Said board shall not advance or pay upon any contract made for material or labor or machinery or any furnishings under the provisions of this act, more than seventy-five per cent of the material, labor, machinery, furnishings and supplies at any time furnished or done, until said contract shall be fully complied with. No advance shall be made until after careful estimates of the material delivered and value of work done.

SEC. 7. As soon as said buildings shall be completed and furnished as herein contemplated, said Commissioners shall notify the Governor of the State thereof, and declare the same open for admission of the eligible blind persons thereto. Thereupon the Board of Commissioners shall appoint a Superintendent and Matron of said Home, who shall receive such compensation as may be agreed upon by said Board. The salaries of the Superintendent, Matron and all employes, and all other accounts, including the wages of workmen in the Shops, shall be paid monthly from the receipts of money for sale of manufactured goods, donations and the funds appro- 75 per cent may be paid before finish. Sup't and Matron appointed. Money received for sale of goods.

Material for manufac-  
ture.

Oath.

Bond \$5,000.

Officers.

Annual re-  
port.

Schedule.

Money how  
drawn.

Money unex-  
pended.

priated for each particular purpose. The Board of Commissioners shall have power to make and enforce all necessary rules and regulations for the proper management and government of the Home; for the purchase of material for the manufacture of such articles as to them may seem best for the welfare and prosperity of the workmen employed, and for the disposal of the manufactured product.

SEC. 8. Before entering upon their duties, each Commissioner provided for in this act, shall take and subscribe an oath to faithfully and impartially perform each and every duty and obligation imposed upon him (or her) by this act, and shall execute to the State of Iowa, a bond, conditioned for the faithful performance of his (or her) duty herein. Said bond shall be in the penal sum of five thousand dollars, to be approved by the executive council. Said Board shall organize by electing from their own number a president and secretary. Said Board shall keep a record of all their proceedings, which record shall be open to inspection at all times, by the Governor or any one appointed by him. Said Board shall make an annual report to the Governor, at the same time and in the same manner required of other public institutions of the State which report shall be printed and distributed as the reports of other institutions of the State.

SEC. 9. The appropriations provided for in this act shall be as follows:—

3. For Manufactory for two hundred Workman . . . . .	
4. Machinery for same and for steam heating for all the Buildings and Shops . . . . .	\$20,000.
5. For Store-house for raw Material and Mfg'd products . . . . .	2,000.
6. For Building for men including furniture . . . . .	4,000.
7. For Building for Women, including dining Hall . . . . .	
8. for all employees, for Laundry, Machinery and furnishings . . . . .	4,000.
9. For out Building and Barn . . . . .	1,000.
10. For Purchasing Fund for Biennial period . . . . .	4,000.
11. For Contingent Fund for biennial period . . . . .	5,000.

Total . . . . . \$40,000.

The money herein appropriated shall be drawn upon warrants of the Auditor of State when duly certified to said Auditor by the Board of Commissioners; Provided, that the money herein appropriated shall be drawn only as the buildings shall be advanced in construction and not more than one-half of the amount herein appropriated for purchasing and contingent funds shall be drawn from the treasury, during the year 1890. Provided, further, that any remaining unexpended after the completion of the building or improvement for which the same was appropriated, may be used as far as

necessary, for any of the purposes specified in this act, subject, however, to the approval of the Executive Council.

Sec. 10. This act being deemed of immediate importance <sup>Publication.</sup> shall be in force from and after its publication in the Iowa State Register, and the Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 23, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 29 and the *Des Moines Leader* April 30 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 54.

### INDUSTRIAL SCHOOLS—GIRLS' DEPARTMENT—SUPPORT.

AN ACT to amend section 1, Chapter 92, Acts of the 19th General <sup>H. F. 308.</sup> Assembly.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That Section 1, of Chapter 92, Acts of the 19th, <sup>Support increased from \$10 to \$11.</sup> General Assembly, be, and the same is hereby amended by striking out the word ten in the third line and inserting in lieu thereof the word eleven.

Approved April 15, 1890.

## CHAPTER 55.

### INSTITUTION FOR DEAF AND DUMB.

AN ACT to amend sections 1695 and 1696 Chapter 7 Title XII of the <sup>H. F. 374.</sup> Code relating to the Iowa Institution for the Deaf and Dumb.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That Section 1695 Chapter 7 Title XII of the Code be amended by inserting after "Clothing" in the second line the words "or transportation."

Sec. 2. That Sec. 1696 Chapter 7 Title XII of the Code be amended by inserting after the word "Clothing" in the second line the words "or transportation."

Publication. SEC. 3. This act being deemed of immediate importance shall be in force from and after its publication in the Iowa State Register, and State Leader, Newspapers published in Des Moines Iowa.

Approved April 24, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 26, 1890.

FRANK D. JACKSON, *Secretary of State.*

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## CHAPTER 56.

### INSTITUTION FOR FEEBLE MINDED.

S. F. 163. AN ACT to amend section Nine of Chapter Forty, Acts of the Nineteenth General Assembly in relation to the Institution for Feeble Minded Children at Glenwood.

*Be it enacted by the General Assembly of the State of Iowa:*

\$22,000 annually instead of \$11,000 for teachers and employees.

SECTION 1. That section Nine (9) of Chapter Forty of the Acts of the Nineteenth General Assembly be, and the same is hereby amended by striking out the word Eleven (11) in the twelfth line of said section and inserting the words "Twenty-two" in lieu thereof, and that the section be further amended by adding after the word "teachers" in the twelfth line the words "and other employees".

Publication. SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines Iowa.

Approved April 12, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 18, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 57.

## REGULATING GOOD TIME OF PRISONER.

AN ACT to Amend Chapter 154, Laws of 18th General Assembly, H. F. 341.  
regulating the good time of prisoners in our Penitentiaries.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. On or after the taking effect of this act every convict who is now or who may hereafter be confined in the penitentiaries of the state of Iowa, and who shall have no infraction of the rules or regulations of the penitentiaries or laws of the State recorded against him, and who performs in a faithful manner the duties assigned to him, shall be entitled to the diminution of time from his sentence as appears in the following table, for the respective years of the sentence and pro-rata for any part of a year where the sentence is for more or less than a year, provided, that this act shall not be construed, so as to increase the good time earned by prisoners in the penitentiaries of the State prior to the act going into effect.

NUMBER OF YEARS OF SENTENCE.	GOOD TIME GRANTED.	TOTAL GOOD TIME MADE.	TIME TO BE SERVED IF FULL TIME IS MADE.	Schedule.
1st year.....	1 month .....	1 month.....	11 months.	
2d year.....	2 months.....	3 months.....	1 year and 9 months.	
3d year.....	3 months.....	6 months.....	2 years and 6 months.	
4th year.....	4 months.....	10 months.....	3 years and 2 months.	
5th year.....	5 months.....	1 year and 3 months.	3 years and 9 months.	
6th year.....	6 months.....	1 year and 9 months.	4 years and 3 months.	
7th year.....	6 months.....	2 years and 3 months.	4 years and 9 months.	
8th year.....	6 months.....	2 years and 9 months.	5 years and 3 months.	
9th year.....	6 months.....	3 years and 3 months.	5 years and 9 months.	
10th year.....	6 months.....	3 years and 9 months.	6 years and 3 months.	
11th year.....	6 months.....	4 years and 3 months.	6 years and 9 months.	
12th year.....	6 months.....	4 years and 9 months.	7 years and 3 months.	
13th year.....	6 months.....	5 years and 3 months.	7 years and 9 months.	
14th year.....	6 months.....	5 years and 9 months.	8 years and 3 months.	
15th year.....	6 months.....	6 years and 3 months.	8 years and 9 months.	
16th year.....	6 months.....	6 years and 9 months.	9 years and 3 months.	
17th year.....	6 months.....	7 years and 3 months.	9 years and 9 months.	
18th year.....	6 months.....	7 years and 9 months.	10 years and 3 months.	
19th year.....	6 months.....	8 years and 3 months.	10 years and 9 months.	
20th year.....	6 months.....	8 years and 9 months.	11 years and 3 months.	
21st year.....	6 months.....	9 years and 3 months.	11 years and 9 months.	
22d year.....	6 months.....	9 years and 9 months.	12 years and 3 months.	
23d year.....	6 months.....	10 years and 3 months.	12 years and 9 months.	
24th year.....	6 months.....	10 years and 9 months.	13 years and 3 months.	
25th year.....	6 months.....	11 years and 3 months.	13 years and 9 months.	

SEC. 2. In case any convict shall be guilty of the violation of any of the rules or laws of the penitentiaries or of the State as above provided and has become entitled to any diminution of the sentence by the provisions aforesaid he shall for the first offense forfeit, if he has made so much, two (2) Forfeiture of good time earned.

days, for the second offense four (4) days, for the third offense eight (8) days, and for the fourth offence sixteen (16) days, and in addition thereto whatever number of days more than one that he is in punishment, shall also be forfeited; for more than four offences or for an escape or attempt to escape the warden shall have the power, with the approval of the Governor, to deprive him of any portion of or all the good time that the convict may have earned but not less than as provided for the fourth offence.

Several convictions.

SEC. 3. That whenever any convict is committed under several convictions with separate sentences they shall be construed as one continuous sentence under this law in the granting or forfeiting of good time.

Certificate of restoration from governor.

SEC. 4. The Governor shall have the right to grant any convict, that has been, now, is, or may be hereafter confined in the penitentiaries, whom he shall deem a proper person to enjoy privilege, a certificate of restoration to all his rights of citizenship, as provided by law. Although such convicts may have been guilty of an infraction of the rules and regulations of the prison. The warden upon request of the Governor, shall in case of application for such restoration furnish him a statement of the convict's deportment during his imprisonment and may at all time make such recommendations to the Governor as he shall deem proper respecting the restoration to citizenship of any convict.

SEC. 5. All acts and parts of acts in conflict with this act are hereby repealed.

Approved May 12 1890.

## CHAPTER 58.

### SUPPORT OF SOLDIERS' HOME.

S. F. 128. An Act to amend section one, of Chapter One Hundred and Twenty One of the Laws of the Twenty Second General Assembly.

*Be it enacted by the General Assembly of the State of Iowa:*

Support fund changed from \$6000 per annum to \$1050 per month.

SECTION 1. That section one of chapter one hundred and twenty one of the laws the twenty-second General Assembly be amended as follows: Strike out of the second line of said Section one the words and figures "six thousand dollars (\$6000) per annum" and insert in lieu thereof the words and figures "ten hundred and fifty dollars (\$1,050) per month."

SEC. 2. This act being deemed of immediate importance Publication shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved May 12th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* May 15, and the *Des Moines Leader* May 16, 1890.

FRANK D. JACKSON, *Secretary of State.*



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## PART II.

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### APPROPRIATIONS.

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## PART II.

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### APPROPRIATIONS.

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## CHAPTER 59.

## IMPROVEMENT OF NEW CAPITOL GROUNDS.

AN ACT making an appropriation for the purpose of improving the grounds of the New Capitol. Sub. for H. F. 195.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of one hundred thousand dollars or so much thereof as may be necessary for the purpose of improving the grounds of the New Capitol.

SEC. 2. One third of the appropriation provided for in Section 1 of this act may be drawn from the Treasury and expended during the year 1890 and the balance of said one hundred thousand dollars may be drawn in two equal installments, the first on or after May 15th, 1891, and the second on or after October 15th, 1891.

SEC. 3. The money herein appropriated shall be under the control of the Executive Council. They shall appoint some competent person as Superintendent, to take charge of and superintend the work, and all payments shall be made only for work done or for material delivered, after being certified to by the Superintendent and approved by the Executive Council, and upon vouchers so certified and approved the Auditor of State shall issue a warrant in favor of the person or persons therein named. Under control of Executive Council. Superintendent.

SEC. 4. The plans adopted by the Board of Capitol Commissioners for the improvement of the ground, made by J. Weidenmann shall be followed as the general plans for improving the grounds, but the Executive Council may make such changes in the details as they may deem for the best interest of the State. Plans and details.

SEC. 5. This act being deemed of immediate importance Publication. shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 24, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 26, and the *Des Moines Leader* April 30, 1890.  
FRANK D. JACKSON, Secretary of State.

## CHAPTER 60.

## EXPENSES OF INAUGURATION CEREMONIES.

S. F. 205. AN ACT Appropriating money to defray the expenses of the Inauguration Ceremonies.

*Be it enacted by the General Assembly of the State of Iowa:*

**\$1,045.08 appropriated  
inaugural expenses.**

SECTION 1. That there be and hereby is appropriated out of any money in the State treasury not otherwise appropriated the sum of one thousand and fortyfive dollars and eight cents or so much thereof as may be necessary to pay the expenses incurred on account of the Inauguration ceremonies. Warrants shall be drawn upon the Treasury for the sum herein appropriated in favor of the Adjutant General upon the filing of vouchers therefor with the Auditor of State.

Publication. SEC. 2. This act being deemed of immediate importance shall be in force and effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in the city of Des Moines, Iowa.

Approved March 21st 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* March 22 and *Des Moines Leader* March 23 1890.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 61.

## EXPENSES OF COMMISSIONERS TO ATTEND BEEF AND PORK COMBINE CONVENTIONS.

H. F. 417. AN ACT Appropriating \$440.70 to defray the expenses of certain members of the 22d General Assembly appointed by the Governor to attend the "Beef and Pork Combine" convention at St. Louis.

**Kansas concurrent resolution.**

WHEREAS the legislature of the state of Kansas by concurrent resolution passed in 1889 requested the Governor of that State to correspond with the governors of other interested states with a view of securing joint action of such states in matters of legislation affecting an alleged "Beef and Pork Combine" or trust and

**Invitation of  
Kansas Governor.**

WHEREAS by the authority so conferred by such concurrent resolution the Governor of the State of Kansas did invite and request the governors of the various Western States to

appoint as delegates five members of the House and three members of the Senate of their respective states to meet in convention in the city of St. Louis on the 12th day of March 1889 and

WHEREAS at such convention at which thirteen Western <sup>Iowa delegation.</sup> States were represented by delegates chosen from the members of their respective General Assemblies, the following named members of the Twenty second General Assembly to-wit: Hons. J. G. Hutchinson and G. L. Finn on the part of the Senate and Hons. L. W. Lewis, A. Head, I. L. Wood and W. H. Robb on the part of the House were duly commissioned by Gov. William Larrabee of the State of Iowa, and did attend such convention as representatives of the 22 General Assembly of the State of Iowa, Therefore

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That each of said delegates be allowed the ~~\$440.70 appropriated.~~ sum of \$6.00 per diem for the time actually spent in attending such convention and mileage at the rate of ten cents per mile one way and there is hereby appropriated out of the treasury from funds not otherwise appropriated the sum of Four Hundred and Forty Dollars and seventy cents (440.70) to defray such expenses incurred by the several parties to-wit:

	Schedule.
To J. G. Hutchinson the sum of.....	\$63.90
To G. L. Finn the sum of.....	73.20
To W. H. Robb the sum of.....	75.40
To L. W. Lewis the sum of.....	68.90
To A. Head the sum of.....	78.00
To I. L. Wood the sum of.....	81.30
<hr/>	
	\$440.70

SEC. 2. This act being deemed of immediate importance <sup>Publication.</sup> shall be in full force and effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 10th 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 16 and *Des Moines Leader* April 15 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 62.

## EXPENSES INVESTIGATION OF STATE UNIVERSITY.

H. F. 436. AN ACT to appropriate a certain sum of money to pay the expenses of the Joint Committee appointed to investigate certain charges against the State University of Iowa.

*Be it enacted by the General Assembly of the State of Iowa:*

~~\$4,800 appropriated.~~ SECTION 1. That there be appropriated out of any funds in the state treasury the sum of forty-eight hundred dollars, or so much thereof as may be necessary to pay all the expenses (with six per cent interest thereon from date of certificates) connected with the investigation of the state university of Iowa, by a joint committee appointed by the 22d general assembly as is shown by vouchers now on file in the office of the auditor of state and by certificates issued by the chairman of said investigating committee.

Approved April 5, 1890.

## CHAPTER 63.

## DISCHARGED CONVICTS.

H. F. 425. AN ACT Making an appropriation to help discharged convicts to an honest life.

*Be it enacted by the General Assembly of the State of Iowa:*

~~\$1,000 appropriated.~~ SECTION 1. That there is hereby appropriated, out of any money in the treasury not otherwise appropriated, the sum of One Thousand Dollars, to be used to help discharged convicts to an honest life. The moneys hereby appropriated shall be drawn from the treasury in the usual manner on the order of the President and Secretary of the Iowa Prisoners' Aid Association, approved by the Executive Council. The Association shall take and preserve vouchers for all moneys expended by it, filing the same with the Governor, and making report to him, before the next regular session of the General Assembly; provided that not more than five hundred dollars of the amount herein appropriated shall be drawn during the year 1890.

Approved April 30, 1890.

## CHAPTER 64.

## HISTORICAL RECORDS.

AN ACT providing for the collection and preservation of historic S. F. 303. records and other valuable material pertaining to the history of Iowa and making an appropriation therefor.

Whereas, The Aldrich Collection of autograph letters, manuscripts and portraits, now in the State Library, is of great value to the State, and it is important that it shall be increased—

And Whereas, The time, labor and money, necessary to this work are more than any individual can afford to give without compensation—

And Whereas, Also, it is believed that many valuable documents, relating to the earlier days of our territory and state have been destroyed, mislaid or misplaced, or are in danger of destruction or loss—Now therefor—

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That there be and is hereby appropriated out of any money in the treasury not otherwise appropriated the sum of three thousand dollars, to be expended under the direction of the trustees of the state library, for the accomplishment of the work of adding to said Aldrich Collection, and that of searching for, restoring and safely preserving the papers and documents aforesaid. Said trustees of the Iowa state library shall solicit contributions to said collection, receive and properly acknowledge the receipt of the same and they shall have the power to appoint and employ all persons necessary for the work aforesaid, to fix their compensation, and do all other things necessary to the accomplishment of the purposes of this act. All accounts and expenditures under this act shall be audited by the executive council and warrants therefor drawn by the Auditor of State: Provided, that not to exceed one half the sum hereby appropriated shall be drawn during the year 1890; and that in no event shall there be more expended under this act, for the year 1890 and 1891 than the said sum of three thousand dollars.

Sec. 2. This act being deemed of immediate importance Publication. shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines Iowa.

Approved April 10, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 16 and the *Des Moines Leader* April 17 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 65.

## GENERAL APPROPRIATION BILL.

H. F. 516. AN ACT to make Appropriations for the Payment of State Officers, State Expenses and other bills.

*Be it enacted by the General Assembly of the State of Iowa:*

**Monthly salaries fixed by law.** SECTION 1. That there is hereby appropriated out of any money in the state treasury not otherwise appropriated, an amount sufficient to pay the salaries of the various officers whose salaries are now fixed by law, and payable from the state treasury, and the auditor of state shall draw warrants therefor in favor of the officers entitled thereto, in monthly installments, when not otherwise provided by law.

**Unexpended money cover into treasury** SEQ. 2. There is further appropriated from the state treasury for the term of two years, ending March 31, 1892, the following amounts, or so much thereof as shall be necessary, to-wit; provided that on the first day of April succeeding the meeting of the regular session of the General Assembly, all moneys appropriated hereby and remaining unexpended, belonging to the several funds hereinafter mentioned, shall be covered into the state treasury.

SEC. 3. The amounts hereinafter named, or so much thereof as may be necessary for the use of the several state officers herein designated, to enable them to procure sufficient clerical help.

<b>Auditor.</b>	For the use of Auditor of State eleven thousand and dollars .....	(\$11,000)
<b>Treasurer.</b>	For the use of Treasurer of State, three thousand and dollars.....	(\$3,000)
<b>Secretary.</b>	For the use of Secretary of State, seven thousand dollars.....	(\$7,000)
<b>Superintendent of Public Instruction.</b>	For the use of Superintendent of Public Instruction, four thousand dollars.....	(\$4,000)
<b>Attorney-General.</b>	For the use of Attorney-General, the sum of three thousand six hundred dollars.....	(\$3,600)
	And to enable him to procure legal assistance in performing the duties of his office, the sum of four thousand dollars, .....	(\$4,000)
<b>Mine Inspectors.</b>	For the use of the state mine inspectors, two thousand dollars.....	(\$2,000)
<b>Railway Commissioners.</b>	For the use of the railroad commissioners, for expenses, the sum of ten thousand dollars, or so much thereof as may be necessary.....	(\$10,000)

*Provided*, that each of said state officers shall furnish <sup>be furnished.</sup> Vouchers to vouchers therefor, containing the items of such expenditures, to the Auditor of State, before any warrants shall issue therefor, and the amounts thereof, and to whom paid, shall be reported to the next general assembly.

Sec. 4. For the contingent expenses of the executive office, <sup>Executive office.</sup> the sum of eight thousand dollars (\$8,000).

For the payment of room rent for the governor, the sum of <sup>Room rent.</sup> twelve hundred dollars (\$1200).

And for the expenses of employing additional counsel <sup>Counsel.</sup> when necessary under the provisions of sections fifty-nine (59) and sixty (60) of the code, three thousand dollars, (\$3,000) to be drawn and accounted for in the manner provided for the contingent fund.

Sec. 5. For the payment of office janitors and mail carrier <sup>Janitor and mail carrier.</sup> of the capitol, the sum of twenty thousand dollars (\$20,000), or so much thereof as may be necessary, to be expended under the direction of the executive council.

Sec. 6. For providential contingencies, the sum of ten <sup>Providential contingencies.</sup> thousand dollars, (\$10,000) said amount to be under the control of the executive council; and all payments from said fund shall first receive its unanimous approval. Any expenditures under this section shall be reported in detail by the Auditor of State in his biennial report.

Sec. 7. For the incidental expenses of the supreme court, <sup>Incidental expenses.</sup> the sum of twenty-five hundred dollars (\$2,500), or so much thereof as may be necessary. All bills for such expenses shall contain all the items thereof, which shall be certified to be correct by the chief justice of said court, before any warrant shall issue therefor. For the purpose of paying for extra clerical help in the office of the clerk of the supreme court, the sum of three thousand dollars (\$3,000) or so much thereof as may be necessary.

Sec. 8. For the purpose of paying the interest becoming <sup>Interest on indebtedness.</sup> due on the indebtedness of the state to the permanent school fund, the sum of forty thousand dollars, (\$40,000 or so much thereof as may be necessary. The Auditor of State shall draw warrants for the above appropriation, as said items of interest shall become due.

Sec. 9. To L. Harbach, for speaker's chair, gavels and Harbach. tables for reporters, the sum of one hundred and 50-100 dollars (\$100.50-100).

Sec. 10. To the members of the executive council, for extra <sup>Executive council</sup> service for the years 1890 and 1891, the sum of one thousand dollars (\$1,000) each, and warrants therefor shall be issued monthly at the end of each month.

Sec. 11. To pay for Miller's and McClain's Annotated Codes. Code, furnished members of the general assembly, to the president of the senate, and to the clerk of the house, the sum of

ten hundred and seventy-one dollars (\$1,071 for 153 copies, said money to be drawn from the treasury by the secretary of state, on warrants drawn by the auditor of state, upon vouchers duly presented to, and approved by, the secretary of state.

**J. A. T. Hull.** SEC. 12. To J. A. T. Hull, lieutenant-governor, as President of the Senate for forty-six days, four hundred and sixty dollars (\$460).

**A. N. Poyneer.** SEC. 13. To A. N. Poyneer Lieutenant-Governor, as President of the Senate, eleven hundred dollars (1100).

**J. T. Hamilton.** SEC. 14. To J. T. Hamilton, as Speaker of the House, the sum of five hundred and fifty dollars (\$550), which sum shall be in addition to his salary as member of the house.

**B. B. Lane.** SEC. 15. To B. B. Lane, as presiding officer of the House for fifteen days, at five dollars (\$5) per day, seventy-five dollars (\$75).

**L. D. Hotchkiss.** SEC. 16. To L. D. Hotchkiss, as temporary speaker for twenty-four days at five dollars (\$5) per day, one hundred and twenty dollars (\$120).

**Chaplains.** SEC. 17. To the chaplains of the Senate and House, the sum of seven hundred dollars (\$700) or so much thereof as may be necessary, warrants therefor to be drawn in favor of the persons entitled thereto, who shall be determined by the auditor of state, upon the certified statement of the President of the Senate and the Speaker of the House.

**Militia.** SEC. 18. For deficiency in appropriation for the years 1888 and 1889, for the purpose of carrying out the provisions of chapter 74, laws of the 18th general assembly, the sum of (\$3299 91-100), or so much thereof as may be necessary.

**Temporary mail carrier.** SEC. 19. To J. D. McGarrah, as temporary mail carrier, for the twenty third general assembly for forty-two days, the sum of two hundred and ten dollars (\$210).

**Com. of Labor Statistics.** SEC. 20. For the use of the Commissioner of Labor Statistics, the sum of one thousand dollars (\$1,000).

**Sec'y Senate and Clerk House Index.** SEC. 21. To W. B. Cochrane, secretary of the senate, and H. S. Wilcox, chief clerk of the House, for making up, writing and indexing the Journals of their respective houses, superintending the printing of the same, the sum of five hundred dollars (\$500) each. One half to be paid when the written certified original Journal is filed in the office of the secretary of state, and the balance upon certificate of the secretary of state, that the index has been completed. Warrants therefor shall be issued under the direction of the executive council.

**Packing.** SEC. 22. To Peter Ebling, for ninety-three days' work in preparing and shipping public documents by express, the sum of two hundred and thirty-two and 50-100 dollars (\$232.50-100.)

**Packing.** SEC. 23. To Alfred Holm, for ninety-three days' work in preparing and shipping public documents by express, the sum of two hundred and thirty two and 50-100 dollars, (\$232.50-100.)

SEC. 24. To Bentley & Olmsted for shoe-strings for files, Shoe-strings. the sum of one and twelve hundredths dollars (\$1.12-100).

SEC. 25. To the Iowa Printing Company, for six hundred Bill files. bill files, the sum of two hundred and ten dollars (\$210).

SEC. 26. To Redhead, Norton, Lathrop & Co., for 303 bill files. files, and 270 Journal files, the sum of four hundred and two and seventy five one hundredths dollars (\$402.75) and for 50 Journal and 50 Bill files, fifty-five dollars (\$55).

SEC. 27. To the Iowa Printing Company, for engraving work on and Litho-Press work on rules 23rd G. A., the sum of eighty rules. dollars (\$80).

SEC. 28. For the Seymour district Agricultural Society, Seymour Ag'l Society. the sum of two hundred dollars. (\$200), as provided by section 1112 of the code, for fair held in 1887, warrant to be issued by the auditor upon certificate, properly endorsed by the secretary of the State Agricultural society.

SEC. 29. For decorating the Capitol on the occasion of the Decorations. state G. A. R. encampment, the sum of two hundred and sixty-four and fifty one hundredths dollars (\$264.50).

SEC. 30. To Louis Case, for bank examinations, the sum Bank examinations. of one hundred and fifteen dollars (\$115).

SEC. 31. To Wm. H. Fleming, for collecting figures for Committee work. use of Senate and House, Ways and Means and Appropriation Committees, from books in auditor's office, and type-writing of appropriation bills, the sum of twenty-five dollars [\$25].

SEC. 32. For expense of joint trust investigating committee ordered by general assembly, the sum of one hundred Joint trust Investigation committee. and thirty dollars (\$130), warrants to issue upon vouchers signed by E. P. Seeds, chairman.

SEC. 33. This act being deemed of immediate importance, Publication. shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

April 15th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* and the *Des Moines Leader* April 17, 1890.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 66.

## HOSPITAL FOR INSANE AT CLARINDA

H. F. 273. AN ACT making appropriations for the Hospital for the Insane, at Clarinda, Iowa.

*Be it enacted by the General Assembly of the State of Iowa:*

**\$180,000 appropriated.** SECTION 1. That there is hereby appropriated for the Hospital for the Insane at Clarinda, Iowa out of any money in the State Treasury not otherwise appropriated, [one hundred and eighty thousand and four hundred dollars or so much thereof as may be necessary in the following sums for the following purposes; to-wit:

Schedule.	For additional wing for females.....	\$130,000
	For Boiler House, Engine rooms, Electric light Rooms and Smoke Stack.....	10,000
	For Furnishing New Wing for Females.....	5,000
	For Steam Heating, including three boilers.	9,000
	For Water Closet and Bath Room annex...	8,000
	For temporary Water Tanks.....	1,000
	For corridors, connecting main building....	4,000
	For General Repairs and Contingent Fund..	1,000
	For Engines and additions to Electric Plant	4,000
	For Barns.....	1,000
	For Water Tanks and Pumps.....	1,000
	For improvement of grounds and fences...	1,000
	For Ice House and Cold Storage.....	2,500
	For Sewerage .....	1,600
	For Plumbing and Water Supplies .....	1,300

Total..... \$180,400

**Manner of payment.** SEC. 2. The money herein appropriated shall be drawn and paid on the order of the Treasurer of said Hospital at such times as they may deem necessary; provided, that not more than one third thereof shall be drawn in 1890 and the balance in two equal installments, the first on or after May 15th 1891, and the second on or after October 15th, 1891.

**Publication.** SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register, and Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 24th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* May 1, and the *Des Moines Leader* April 30 1890.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 67.

## HOSPITAL FOR INSANE INDEPENDENCE

AN ACT making appropriations for the Hospital for the Insane at H. F. 22.  
Independence.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That there is hereby appropriated for the Iowa \$20,000 appro-  
Hospital for the Insane at Independence, out of any money in  
the State Treasury, not otherwise appropriated Twenty thous-  
and dollars or so much thereof as may be necessary in the fol-  
lowing sums for the following purposes to-wit:

For repaid and contingent fund, six thousand dollars, \$6,000	Schedule.
For new large brick coal-house with iron roof, three	
thousand dollars,.....	(3,000)
For passenger elevator and fire escape six thousand five	
hundred dollars.....	(6,500)
For Conservatory, two thousand dollars,.....	(2,000)
For sidewalk and improvement of ground two thous-	
and dollars,.....	(2,000)
For tile five hundred dollars,.....	( 500)

Sec. 2. The money herein appropriated shall be drawn Manner of  
and paid on the order of the Trustees of said Hospital in such payment.  
sums and at such times as may be deemed necessary by said  
trustees; provided, that not more than one half of the amount  
herein appropriated shall be drawn from the treasury during  
the year 1890, and the balance in two equal installments the  
first on or after May 15th 1891, and the second on or after  
October 15th, 1891.

Sec. 3. This act being deemed of immediate importance Publication.  
shall take effect and be in force from and after its publication  
in the Iowa State Register, and the Des Moines Leader, news-  
papers published in Des Moines, Iowa.

Approved April 24, 1890.

I hereby certify that the foregoing act was published in the *Iowa*  
*State Register* and *Des Moines Leader* April 26, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 68.

## HOSPITAL FOR INSANE MT PLEASANT

H. F. 139. •AN ACT making appropriations for the Hospital for the Insane at Mount Pleasant, Iowa.

*Be it enacted by the General Assembly of the State of Iowa:*

~~\$37,100 appropriation.~~ SECTION 1. That there is hereby appropriated for the Hospital for the Insane, at Mount Pleasant, out of any money not otherwise appropriated, thirty seven thousand one hundred dollars or so much thereof as may be necessary in the following sums, for the following purposes, to-wit:

~~Schedule.~~ For Cold Storage Building six thousand dollars (\$6,000.)  
For Chapel and Amusement Hall fifteen thousand dollars (\$15,000.)  
For General Repairs and contingent fund seven thousand dollars (\$7,000.)  
For Ice House two thousand dollars (\$2,000.)  
For Slaughter House and Piggery fifteen hundred dollars (\$1,500.)  
For Steam Engine, twenty-six hundred dollars (\$2,600.)  
For improvement of grounds and fences, one thousand dollars (\$1,000.)  
For Green-house, flowers and plants, two thousand dollars (\$2,000.)

~~Money how drawn.~~ SEC. 2. The money herein appropriated shall be drawn and paid on the order of the Trustees of said Hospital, at such times as may be deemed necessary by said Trustees: provided, that not more than one half thereof shall be drawn during 1890, and the balance in two equal installments, the first on or after May 15th, 1891 and the second on or after October 15th, 1891.

~~Publication.~~ SEC. 3. This Act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register, and Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 16th, 1890.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader April 22, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 69.

## PENITENTIARY AT ANAMOSA.

AN ACT making appropriations for the penitentiary at Anamosa, House file 340. Iowa.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That there is hereby appropriated for the Penitentiary, at Anamosa, Iowa out of any funds in the State Treasury not otherwise appropriated thirty-eight thousand eight hundred and fifty dollars or so much thereof as may be necessary, in the following sums and for the following purposes, to-wit:

1. For the Completion of the Work on the Building for Female Convicts, . . . . .	\$30,000.	Schedule.
2. For Repair and Contingent fund, . . . . .	4,600.	
3. For Furniture for Hospital, . . . . .	500.	
4. For Furnishing Warden's House, . . . . .	150.	
5. For Transportation of Discharged Convicts, . . . . .	1,200.	
6. For Steam Kettles and Ranges, . . . . .	1,000.	
7. For Construction of Smoke Stack, . . . . .	1,200.	
8. For Changing Electric Lights, . . . . .	200.	

Total, . . . . . \$38,850. Money, how drawn

SEC. 2. The money herein appropriated shall be drawn and paid on the order of the Warden of said penitentiary at such times and in such sums as he may deem necessary, provided, that not more than one third of said amounts shall be drawn during 1890, and the balance in two equal installments, the first on or after May 15th 1891 and the second on or after October 15th 1891.

SEC. 3. This act being deemed of immediate importance Publication. shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines, Leader, newspapers published in Des Moines, Iowa.

Approved April 15th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* May 7 and *Des Moines Leader* May 8, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 70.

## PENITENTIARY AT FORT MADISON.

H. F. 410. AN ACT making appropriations for the penitentiary at Fort Madison, Iowa.

*Be it enacted by the General Assembly of the State of Iowa:*

~~80,700 appropriated.~~ SECTION 1. That there is hereby appropriated for the Penitentiary at Fort Madison, Iowa out of any funds in the State Treasury not otherwise appropriated nine thousand and seven hundred dollars, or so much thereof as may be necessary, in the following sums and for the following purposes, to-wit:

Schedule. 1. For Transportation of Convicts, ..... \$2,000.  
2. For Contingent and Repair Fund, ..... 7,500.  
3. For Furniture and Carpets, ..... 200.

~~Money, now drawn~~ SEC. 2. The money herein appropriated shall be drawn and paid on the order of the Warden of said Penitentiary at such times and in such sums as he may deem necessary; provided, that not more than one half shall be drawn in 1890, and the balance in two equal installments, the first on or after May 15th 1891, and the second on or after October 15th 1891.

Publication. SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 30th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* May 7 and the *Des Moines Leader* May 8, 1890.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 71.

## INDUSTRIAL SCHOOL—BOYS DEPARTMENT.

AN ACT, making appropriations for the Iowa Industrial School, Sub for Boys' Department, at Eldora, Iowa. H. F. 44.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That there is hereby appropriated out of any money in the treasury not otherwise appropriated, Twenty thousand eight hundred and fifty dollars or so much thereof as may be necessary for the Boys' Department in the sums hereinafter named and for the purposes hereinafter mentioned:

1st. For the erection and furnishing of a Chapel seven thousand five hundred dollars, (\$7,500.)

2d. For Electric Light and Boilers four thousand dollars (\$4,000.)

3d. For contingent and repair funds four thousand dollars (\$4,000.)

4th. For Sunday Suits for boys, eighteen hundred dollars (\$1,800.)

5th. For Chaplain Fund four hundred dollars (\$400.)

6th. For Library and School Books five hundred dollars (\$500.)

7th. To increase Laundry capacity and dry room and for laundry machinery twelve hundred and fifty dollars, (\$1200.)

8th. For bathing apparatus and heater one thousand dollars, (\$1,000.)

9th. For Band instruments and uniform four hundred dollars (\$400.)

Sec. 2. The money herein appropriated shall be drawn and paid on the order of the trustees of said institution at such times as they may deem necessary; provided, that not more than one third thereof shall be drawn during 1890 and the balance in two equal installments the first on or after May 15th 1891, and the second on or after October 15th 1891. Money how drawn.

Sec. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa. Publication.

Approved April 30th, 1890.

I hereby certify that the foregoing act was published in the Iowa State Register May 7 and Des Moines Leader May 8 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 72.

## INDUSTRIAL SCHOOL—GIRLS DEPARTMENT.

**Sub. for.**  
**H. F. 207.** **AN ACT** making appropriations for the Iowa Industrial School, Girls' Department, at Mitchelville, Iowa.

**Be it enacted by the General Assembly of the State of Iowa:**

**\$18,125 appropriated.** **SECTION 1.** That there is hereby appropriated for the Iowa Industrial School, Girls' Department, at Mitchelville, Iowa out of any money in the State Treasury not otherwise appropriated eighteen thousand one hundred and twenty-five dollars or so much thereof as may be necessary, in the following sums for the following purposes, to-wit:

**Schedule.**

1. For Finishing New Building and Furnishing Hospital, . . . . .	\$ 750.
2. For Painting and Repairs, . . . . .	1,000.
3. For Furniture, Carpet and Kitchen Stoves, . . . . .	1,000.
4. For Library and School Books, . . . . .	300.
5. For Fencing and Drainage, . . . . .	500.
6. For Chaplain's Fund, . . . . .	300.
7. For Erection of Henney, . . . . .	250.
8. For Sunday Suits, . . . . .	500.
9. For Winter Wraps, . . . . .	300.
10. For Farming Implements, . . . . .	200.
11. For Team, Harness and Carriage, . . . . .	400.
12. For Contingent Fund, . . . . .	2,500.
13. For Additional Building, . . . . .	10,000.
14. For Window Screens, . . . . .	125.

Total . . . . . \$18,125.

**Money how drawn.**

**SEC. 2.** The money herein appropriated shall be drawn and paid on the order of the Trustees of said Institution and at such times and in such sums as they may deem necessary; provided, that not more than one half of said appropriation shall be drawn during 1890, and the balance in two equal installments the first on or after May 15th 1891 and the second on or after October 15th 1891.

**Publication.**

**SEC. 3.** This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 30th 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* May 7 and the *Des Moines Leader* May 8, 1890.

FRANK D. JACKSON. Secretary of State.

## CHAPTER 73.

## BENEDICT HOME

AN ACT making an appropriation for Benedict Home at Des Moines, Sub. for.  
Iowa. H. F. 197.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. There is hereby appropriated for the support of \$6000 appro-  
priation. Benedict Home at Des Moines, Iowa out of any money in the State Treasury not otherwise appropriated the sum of six thousand dollars (\$6,000.) or so much thereof as may be necessary to be expended as directed by the Executive Council, How ex-  
provided that not more than one half the amount herein appropri-  
pended.ated shall be drawn in the year 1890 and the other half in  
the year 1891.

SEC. 2. This act being deemed of immediate importance Publication.  
shall take effect and be in force from and after its publication  
in the Iowa State Register and the Des Moines Leader, news-  
papers published in Des Moines Iowa.

Approved April 16th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 19, 1890.

FRANK D. JACKSON, *Secretary of State.*

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CHAPTER 74.

## INSTITUTION FOR DEAF AND DUMB.

AN ACT making appropriations for the Institution for the Deaf and Sub. for.  
Dumb at Council Bluffs, Iowa. H. F. 337.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That there is hereby appropriated for the Insti- \$26,050 appro-  
priated. tution for the Deaf and Dumb at Council Bluffs, Iowa, out of any money in the State Treasury not otherwise appropriated twenty-six thousand and fifty dollars or so much thereof as may be necessary in the following sums and for the following purposes, to-wit:

Schedule.	1. For Improvement for Industrial Schools,.....	\$2,000.
	2. For Cooking School,.....	1,000.
	3. For Laundry and Cistern,.....	2,000.
	4. For Dining Room and Additions,.....	5,500.
	5. For Water Main,.....	1,000.
	6. For Approach to Main Building and Fire Escape,	1,500.
	7. For Cows and Barns,.....	1,500.
	8. For Repair Fund,.....	1,500.
	9. For Smoke Stack and Steam Heating,.....	1,500.
	10. For Painting,.....	1,000.
	11. For Library,.....	400.
	12. For Closets in School House and Main Building	1,500.
	13. For Sewer,.....	3,000.
	14. For Vegetable Cellar,.....	1,000.
	15. For Furniture, Beds and Bedding for Students,..	800.
	16. For Front Walls for Main Building,.....	600.
	17. For Improvement for Gymnasium,.....	250.

Total..... \$26,050.

**Money how drawn.** SEC. 2. The money herein appropriated shall be drawn and paid on the order of the trustees of said Institution, at such times as they may deem necessary; provided, that not more than one half thereof shall be drawn during 1890, and the balance in two equal installments, the first on or after May 15th, 1891, and the second on or after October 15th, 1891.

**Publication.** SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 30th 1890.

I hereby certify that the foregoing act was published in the Iowa State Register *Register May 7* and *Des Moines Leader May 8* 1890.  
FRANK D. JACKSON, Secretary of State.

## CHAPTER 75.

### SOLDIERS HOME.

Substitute for AN ACT making appropriations for the Soldiers' Home at Marshalltown, Iowa.

*Be it enacted by the General Assembly of the State of Iowa:*

**\$38,150 appropriated.** SECTION 1. That there is hereby appropriated thirty-eight thousand two hundred and fifty dollars or so much thereof as may be necessary out of any money in the State Treasury not otherwise appropriated for the Soldiers' Home at Marshall-

town, Iowa, in the following sums and for the following purposes, to-wit:

1. For Hospital Building .....	\$25,000	Schedule.
2. For New Building for Boiler Room and for Electric Light, .....	12,000	
3. Sewerage,.....	1,250.	

Sec. 2. The money herein appropriated shall be drawn Money, how drawn. out on the order of the Commissioners of said Home, at such times and in such sums as may be deemed necessary by them; provided, that not more than one half of said appropriation shall be drawn during 1890, and the balance in two equal installments. The first on or after May 1st, 1891, and the second on or after October 1st, 1891.

Sec. 3. This act being deemed of immediate importance Publication. shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 23d, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 24, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 76.

### HOME FOR INDIGENT CHILDREN.

AN ACT making appropriations for the Soldiers' Orphans' Home and Substitute for Home for Indigent Children at Davenport, Iowa. H. F. 318.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That there is hereby appropriated for the Soldiers' Orphans' Home and Home for Indigent Children at Davenport, Iowa out of any money in the State Treasury, not otherwise appropriated forty-six thousand dollars, or so much thereof as shall be necessary, in the following sums and for the following purposes, to-wit:—

1. For a Main Central Building, .....	\$30,000.	Schedule.
2. For Furniture and Steam Heating,.....	5,500.	
3. For Water Supply,.....	6,000.	
4. For Contingent expenses and Repairs,.....	3,000.	
5. For Library,.....	500.	
6. For Out-houses.....	1,000.	

Total ..... \$46,000.

Money, how drawn.

SEC. 2. The money herein appropriated may be drawn and paid on the order of the Trustees of said home, at such times and in such sums as they may deem necessary; provided, that not more than one-third shall be drawn during 1890, and the balance in two equal installments the first on or after May 15th 1891, and the second on or after October 15th 1891.

Publication.

SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 30th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* May 7 and *Des Moines Leader* May 8, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 77.

### STATE UNIVERSITY APPROPRIATION.

Substitute for AN ACT making appropriations for the State University at Iowa  
H. F. 278 City.

*Be it enacted by the General Assembly of the State of Iowa:*

\$125,000 appropriated.

SECTION 1. That there is hereby appropriated out of any money in the State Treasury not otherwise appropriated for the support of the State University in the several departments and in aid of the income fund, and for the erection of Building, and for the development of the Institution the sum of one hundred and twenty-five thousand dollars, or so much thereof as may be necessary in the following sums and for the following purposes, to-wit:

Schedule.

1.	For additional general support, . . . . .	\$45,000.
2.	For Vapor Gas plant for Laboratory use, . . . . .	1,000.
3.	For additional equipment of natural science department, . . . . .	4,000.
4.	For additional equipment in Department in Engineering, . . . . .	4,000.
5.	For Physical Laboratory Apparatus, . . . . .	4,000.
6.	For the erection of a Chemical Laboratory Building and the equipment for same, . . . . .	50,000.
7.	For enlargement of Boiler House and additional Heating Apparatus, . . . . .	2,000.
8.	For Library, . . . . .	5,000.
9.	For Repairs and Contingent fund, . . . . .	10,000.

SEC. 2. The money herein appropriated shall be drawn <sup>How drawn and paid.</sup> and paid on the order of the Board of Regents of said University at such times and in such sums as they may deem necessary; provided, that not more than one third shall be drawn in 1890, and the balance in two equal installments, the first on or after May 15, 1891, and the second on or after October 15, 1891.

SEC. 3. This act being deemed of immediate importance <sup>Publication.</sup> shall take effect and be in force from and after its publication in the Iowa State Register, and the Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 19th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 24 and the *Des Moines Leader* April 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 78.

### AGRICULTURAL COLLEGE.

AN ACT making appropriations for the State Agricultural College. Sub. for House file 279.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That there is hereby appropriated for the Iowa <sup>\$50,000 appropriated.</sup> State Agricultural College out of any money in the State Treasury not otherwise appropriated, fifty thousand dollars or so much thereof as may be necessary in the following sums for the following purpose to-wit:

	Schedule.
For repairs on the main College Building and the two Boarding Halls five thousand dollars.....	(\$5,000.)
For Boiler, Boiler and Engine House, and Steam Heating apparatus for engineering hall five thousand dollars.....	(\$5,000.)
For the enlargement and repair of the Chemical and Physical Laboratory Building two thousand dollars.....	(\$2,000.)
For the Repair and improvement of Farm Buildings, including the erection of Swine House and Corn Cribs two thousand dollars.....	(\$2,000.)
For Fire Escapes, additional water Tank in main building, Hose and other appliances for protecting College Building against fire one thousand dollars.....	

Money, how drawn.

For building for museum, library chapel and recitation rooms and remodeling main building, thirty-five thousand dollars.....(\$35,000.)

Publication.

SEC. 2. The money herein appropriated shall be drawn and paid on the order of the Trustees of said College, in such sums and at such times as they may deem necessary; provided that not more than one third thereof shall be drawn during 1890 and the ballance in two equal installments, the first on or after May 15th 1891 and the second on or after October 15th 1891.

SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 24, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 30, and *Des Moines Leader* May 1, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 79.

### NORMAL SCHOOL—CEDAR FALLS.

Sub. for House file 257. AN ACT making an appropriation for the State Normal School at Cedar Falls, Iowa. And providing a Permanent Endowment and Contingent Fund for the Same.

*Be it enacted by the General Assembly of the State of Iowa:*

\$15,000 annual endowment. SECTION 1. That there be and is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, the sum of fifteen thousand dollars, annually, as endowment fund for the payment of the teachers of said Institution and a further sum of twenty-five hundred dollars, annually for a regular contingent fund. The money herein appropriated shall be drawn and paid quarterly on the order of the Trustees of said School. The first quarterly payment being made on the first of June 1890.

\$2,500 annual contingent \$17,500. general. SEC. 2. That there is hereby appropriated in addition to the amount appropriated in Section one(1) of this act, the sum of seventeen thousand and six hundred dollars, or so much thereof as may be necessary in the following sums and for the following purpose, to-wit:

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1. For Library and Apparatus, . . . . .	\$4,000.	Schedule
2. For Repairs on Chapel and old Buildings and for Boilers and Steam Heating, . . . . .	\$5,000.	
3. For Platform Scales, . . . . .	100.	
4. For President's Cottage and Furnishing same, . . . .	6,000.	
5. For Cold Storage Room, . . . . .	500.	
6. For Laundry and Appliances, . . . . .	1,000.	
7. For Water Rents and Water, . . . . .	1,000.	

SEC. 3. The sums herein appropriated in Section two (2) <sup>Money, how drawn.</sup> of this act shall be drawn and paid on the order of Trustees of said school at such times and in such sums as they may deem necessary, provided, that not more than one third thereof shall be drawn during 1890, and the balance in two equal installments, the first on or after May 15th 1891, and the second on or after October 15th 1891. Provided that item 4, Presidents Cottage \$6000 may be drawn at any time during this biennial period upon warrants signed by the trustees of said institution.

SEC. 4. This act being deemed of immediate importance <sup>Publication.</sup> shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 16th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 19, 1890.

FRANK D. JACKSON, *Secretary of State.*

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## CHAPTER 80.

### INSTITUTION FOR FEEBEE MINDED CHILDREN.

AN ACT making appropriations for the Institution for Feeble Minded Sub. for. Children at Glenwood, Iowa. H. F 24

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That there is hereby appropriated for the Institution for Feeble Minded Children at Glenwood, Iowa the sum of Forty one thousand six hundred dollars or so much thereof as may be necessary out of any money in the State Treasury not otherwise appropriated the following sums for the following purposes, to-wit:

Schedule.	For Temporary Hospital for Epileptic Children .....	\$ 1,500.
	For one boiler, Steam pumps, Steam Fittings, Pipe Coverings, Coal shed and Water Reservoir,.....	8,000.
	For Electric Light Plant,.....	5,000.
	For addition to Laundry, Shops and Machinery,.....	4,000.
	Brick addition to building.....	4,400.
	For moving and repair Boys' East Cottage for adult farm boys,.....	2,000.
	For Bakery and Kitchen Furniture,.....	2,000.
	For Beds and Bedding,.....	2,500.
	For Library, School Furniture and Supplies,.....	400.
	For Cold Storage room and Ice House.....	2,000.
	For Orchard, Small Fruit and Fencing,.....	300.
	For Land and Barns,.....	5,000.
	For Piggery, .....	500.
	For Contingent and repair fund,.....	3,000.
	For Improvement in Machinery for brick-yard,.....	500.
	For Improvement and plan of ground,.....	500.

Total..... 41,600.

**Money how drawn.** SEC. 2. The money herein appropriated shall be drawn and paid on the order of the Trustees of said Institution in such sums and at such times as may be deemed necessary by said trustees; provided, that not more than one half of the amount herein appropriated shall be drawn from the treasury during the year 1890, and the balance in two equal installments, the first on or after May 15th 1891, and the second on or after October 15th 1891.

**Publication.** SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 24th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* May 1, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 81.

## COLLEGE FOR THE BLIND.

AN ACT making appropriations for the College of the Blind at H. F. 110. Vinton, Iowa.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That there is hereby appropriated for the College for the Blind at Vinton, Iowa out of any money in the State Treasury not otherwise appropriated ~~Eight Thousand Dollars, or so much thereof as may be necessary in the following sums for the following purposes to-wit:~~ \$8,000 appropriated.

For contingent and repairs and Fire proof safe..... \$2,500.00

For Bedding and Furniture, ..... 2,000.00

For Library and School Apparatus, ..... 500.00

For Water Works, ..... 3,000.00

Sec. 2. The money herein appropriated shall be drawn <sup>Money how drawn.</sup> and paid on the order of the Trustees of said College, at such times and in such sums as they may be deemed necessary; provided that not more than one half thereof shall be drawn during 1890.

Sec. 3. This act being deemed of immediate importance <sup>Publication.</sup> shall take Effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 30th, 1890.

I hereby certify that the foregoing Act was published in the *Iowa State Register* May 7, and *Des Moines Leader*, May 8, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 82.

## STATE LIBRARY.

AN ACT making appropriations for the State Library.

S. F. 423.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That there is hereby appropriated for the State Library out of any money in the State Treasury not otherwise appropriated <sup>Appropriation authorized.</sup> the following sums for the following purposes to-wit

Schedule.	To complete sets of the Session Laws of the various States & Territories.....	\$500.00
	To complete sets of Periodicals and procure new sets.....	500.00
Money how drawn.	SEC. 2. The money herein appropriated shall be drawn and paid on the order of the trustees of said Library at such times as they may deem necessary.	
Publication.	This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader newspapers published in Des Moines Iowa.	
	Approved April 24th, 1890.	
	I hereby certify that the foregoing act was published in the <i>Iowa State Register</i> and <i>Des Moines Leader</i> , May 1, 1890.	
	FRANK D. JACKSON, <i>Secretary of State.</i>	

## CHAPTER 83.

### DAIRY COMMISSIONER.

H. F. 510. AN ACT providing an appropriation for conducting the office of the state diary [dairy] commissioner, and for paying the expenses thereof.

*Be it enacted by the General Assembly of the State of Iowa:*

Use of unexpended appropriations authorized.

SECTION 1. That the unexpended portions of the appropriation provided by section seventeen, Chapter Fifty-two of the laws of the twenty first general assembly, and by section two, Chapter Ninety eight of the laws of the twenty second general assembly is hereby appropriated for the next biennial period, or so much thereof as may be necessary for the proper carrying out of the purposes of the acts establishing this commission—But not more than one half of said unexpended balance shall be drawn from the state treasury prior to the first day of May, 1891—The amount hereby appropriated shall be expended only under the direction and with the approval of the executive council.

How drawn.

Approved April 17th 1890.

## CHAPTER 84.

## RELIEF OF PARENTS OF GEORGE HENRY KRESTING.

AN ACT appropriating money to the Dependent Parents of George H. F. 400. Henry Kresting, mortally wounded in assisting to arrest the Barber Brothers.

WHEREAS, on or about June 5th 1883 George Henry Kresting, Preamble. ing in Bremer County Volunteered to assist in the arrest of two desperados known as Barber Brothers, who were fleeing from Peace officers; and

WHEREAS, when assisting in the arrest of the said Barber, Death of George H. Kresting was shot by a pistol bullet fired by one Kresting. of the Barbers, from the effect of which he soon afterward died; and

WHEREAS, said George Henry Kresting was at the time of Support of his death the only son and the support of his parents, who parents. were then aged and needy, and who were largely supported by said son who was single and resided with his parents: and

WHEREAS, Said parents are now aged and disabled: and

WHEREAS, the 20th General Assembly appropriated to each Appropriation act of 20 of the other persons who were disabled in assisting in the cap- G. A. ture of the said Barber Brothers, the sum of two hundred dollars: therefore,

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That there be appropriated to J. H. Kresting, \$200 appro- father of the said George H. Kresting, the sum of two hun- priated. dred dollars, out of any money in the treasury not otherwise appropriated.

Approved April 15th, 1890.

## CHAPTER 85.

## EXPENSES VISITING COMMITTEES TO STATE INSTITUTIONS.

AN ACT to defray the expenses of the several Committees appointed S. F. 387. to visit the various State Institutions.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That there be and is hereby appropriated out Appropriation author- of any money in the State Treasury not otherwise appropriated ized.

the following sums of money to the persons and for the purposes hereinafter named.

Ag'l College.

SEC. 2. To J. H. Smith the four dollars and sixty cents; to Allen Smith three dollars and eighty-five cents; and to J. G. Thornburg, five dollars and twenty-five cents for mileage and expenses incurred in visiting the State Agricultural College, at Ames.

Benedict Home.

SEC. 3. To W. A. Davie one dollar and thirty cents; to B. B. Lane one dollar and twenty-five cents for mileage and expenses incurred in visiting the Benedict Home in Des Moines.

Fish Hatch-  
ing House.

SEC. 4. To James H. Barnett twenty-seven dollars; to Wm. M. McFarland twenty-six dollars and fifty cents; and to Ed. C. Russell thirty dollars and fifty cents for mileage and expenses incurred in visiting the State Fish Hatching House at Spirit Lake.

College for  
Blind.

SEC. 5. To E. E. Mack seventeen dollars and eighty-five cents; and to J. P. Holliday nineteen dollars and twenty cents for mileage and expenses in visiting the College for the Blind at Vinton.

Hospital Mt.  
Pleasant.

SEC. 6. To T. J. Caldwell eighteen dollars and eighty cents; to J. T. Young fourteen dollars and forty cents; and to L. A. Mitchell fourteen dollars and forty cents for mileage and expenses incurred in visiting the Hospital of the Insane at Mt. Pleasant.

Hospital In-  
dependence.

SEC. 7. To L. B. Mattoon twenty one dollars and thirty-three cents; to J. R. Shipley twenty-one dollars and thirty-three cents; and to J. M. Johnston twenty-one dollars and thirty-three cents for the purpose of paying mileage and expenses incurred in visiting the Hospital for the Insane at Independence.

Hospital  
Clarinda.

SEC. 8. To F. D. Bayless twenty-five dollars and fifty cents; to J. W. Luke twenty-five dollars and fifty cents; and to J. L. Woods twenty-five dollars and fifty cents for the purpose of paying mileage and expenses incurred in visiting the Hospital for the Insane at Clarinda.

Penitentiary  
Anamosa.

SEC. 9. To L. S. Hanchett twenty-three dollars and ten cents; to H. B. Wyman twenty-three dollars and ten cents and to N. B. Nemmers, twenty-three dollars and ten cents for the purpose of paying mileage and expenses in visiting the additional Penitentiary at Anamosa.

Penitentiary  
Ft. Madison.

SEC. 10. To J. D. McVey twenty-four dollars and fifty cents; to W. W. Morrow twenty-four dollars and fifty cents; and to W. H. Chamberlain twenty-four dollars and fifty cents for the purpose of paying mileage and expenses in visiting the Penitentiary at Fort Madison.

Soldiers  
Home.

SEC. 11. To N. V. Brower eleven dollars and thirty-five cents; to John Law seven dollars and fifty cents; and to M. Ewart six dollars and eighty cents for the purpose of paying

mileage and expenses in visiting the Soldiers' Home at Marshalltown.

Sec. 12. To E. P. Seeds twenty-three dollars; to J. A. <sup>Orphans</sup> Smith twenty-two dollars; and to Ed. Hart twenty-two dollars for the purpose of paying mileage and expenses in visiting the Orphans' Home at Davenport.

Sec. 13. To O. M. Barrett eighteen dollars; to E. L. <sup>Deaf and Dumb.</sup> Hobbs sixteen dollars; and to B. Graeser sixteen dollars for the purpose of paying mileage and expenses in visiting the Institution for the Deaf and Dumb at Council Bluffs.

Sec. 14. To G. W. Perkins thirteen dollars; to H. L. <sup>Normal School.</sup> Byers thirteen dollars; and to N. P. Holbrook thirteen dollars for the purpose of paying mileage and expenses incurred in visiting the State Normal School at Cedar Falls.

Sec. 15. To A. B. Funk twenty five dollars; to F. M. <sup>Inst'n for Feeble Minded.</sup> Kyte, twenty dollars; and to F. F. Roe twenty-one dollars and fifty cents for the purpose of paying mileage and expenses incurred in visiting the Institution for Feeble Minded Children at Glenwood.

Sec. 16. To Richard Price twenty-two dollars and fifty cents; to J. E. Blythe twenty-two dollars and fifty cents; and to R. W. Briggs twenty-two dollars and fifty cents for the purpose of paying mileage and expenses incurred in visiting the State University at Iowa City.

Sec. 17. To P. B. Wolfe twelve dollars and seventy-five cents; to G. W. Ball eleven dollars; and to Wm. Glattley twelve dollars for the purpose of paying expenses incurred in visiting the Industrial School at Eldora.

Sec. 18. To Jno. M. Gobble three dollars and seventy cents; to John Dolph two dollars and twenty cents; and to W. J. Felkner two dollars and twenty cents for the purpose of paying mileage and expenses incurred in visiting the Industrial School at Mitchellville.

Sec. 19. This act being deemed of immediate importance <sup>Publication.</sup> shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader newspapers published at Des Moines, Iowa.

Approved April 10th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 12, 1890.

FRANK D. JACKSON, *Secretary of State.*



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## PART III.

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### LEGALIZING ACTS.

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## CHAPTER 86.

## LEGALIZE INCORPORATION TOWN OF GALVA.

AN ACT to legalize the incorporation of the town of Galva, and the H. F. 175. acts of said town done and performed thereunder.

Whereas at an election held in Galva Township, Ida <sup>Legality of election questioned.</sup> County Iowa in the year of 1889 for the purpose of incorporating the said Town of Galva, only five Trustees were elected instead of six as provided by Law, and doubts have arisen in consequence as to legality of said incorporation; Therefor

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the incorporation of the said Town of <sup>Legalized.</sup> Galva, together with the Acts of said Town done and performed thereunder are hereby legalized.

Approved April 23d, 1890.

## CHAPTER 87.

## LEGALIZE INCORPORATION TOWN OF CASEY.

AN ACT to legalize the incorporation of the town of Casey, Guthrie H. F. 331. County, Iowa, the election of its officers, and all the acts done and the ordinances passed by the council of said town.

Whereas, doubts have arisen as to the legality of the incorporation of the town of Casey, Guthrie county, Iowa, the <sup>Legality of incorporation questioned.</sup> election of its officers, and the ordinances passed by the council of said town: therefore

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the incorporation of the said town of <sup>Acts legalized.</sup> Casey, Guthrie County, Iowa, the election of its officers, and all official acts done and the ordinances passed by the council of said town, not in contravention of the laws of the state, are hereby legalized and the same are hereby declared to be valid and binding, the same as though the law had in all respects been strictly complied with in the incorporation of said town, the election of its officers and the passing of its ordinances.

Publication. SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register, published at Des Moines, Polk County, Iowa, and the Casey Vindicator, published at Casey, Guthrie County, Iowa, without expense to the State.

Approved April 23d, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 30 and *Casey Vindicator* May 2, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 88.

### LEGALIZE INCORPORATION TOWN OF HARTLEY.

H. F. 243. AN ACT to legalize the incorporation of the town of Hartley, County of O'Brien, and state of Iowa.

Legality of incorporation questioned. Whereas, doubts have arisen as to the legality of the incorporation of the town of Hartley, County of O'Brien, Iowa, and the election of its officers and all acts done and ordinances passed by the council of the said town. Therefore,

*Be it enacted by the General Assembly of the State of Iowa:*

Acts legalized. SECTION 1. That the incorporation of the town of Hartley, O'Brien County, Iowa, the election of its officers, and all the official acts done, and ordinances passed by the council of said town, not in contravention with the laws of the state, are hereby legalized and the same are hereby declared valid and binding, the same as though the law had in all respects been strictly complied with in the incorporation of said town, the election of its officers and the passing of its ordinances.

Publication. SEC. 2. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register, published at Des Moines, Polk County Iowa, and in the Hartley Record, published at Hartley, in the county of O'Brien and State of Iowa, without expense to the state.

Approved April 23d, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* and the *Hartley Record* May 2, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 89.

## LEGALIZE OFFICIAL ACTS, TOWN COUNCIL OF CHURDAN.

AN ACT to legalize the official acts of the town council, ordinance H. F. 513, and records of the incorporated town of Churdan, Greene county, Iowa.

Whereas, the town of Churdan, Greene County, Iowa, was incorporated in March 1884, and has passed ordinances and resolutions for the government of said town, and

Whereas, doubts have arisen as to the legality of the official acts, ordinances and resolutions passed by the town council of said incorporated town of Churdan, by reason of the failure of the recorder of said town to record the yeas and nays on the suspension of the rules, and upon the passage of the ordinances and resolutions, and the failure to record the orders for the publication of ordinances, and the failure of the mayor to sign the proceedings of the council and the failure of records of the proceedings to show what members of the council were present at the meeting when ordinances were passed: Therefore

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That all official acts done and all ordinances passed by the council of said town of Churdan, Greene county, Iowa, not in contravention with the laws of the state, are hereby declared to be valid and binding the same as though the laws had, in all respects, been strictly complied with in respect to matters herein before mentioned.

Sec. 2. This act being deemed of immediate importance. Publication shall be in force and effect from and after its publication in the Iowa Capital and the Souvenir, newspapers published at Des Moines and Jefferson, Iowa, without expense to the State.

Approved April 23d, 1890.

I hereby certify that the foregoing act was published in the *Iowa Capital* April 26, and *Souvenir* May 8, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 90.

## LEGALIZE OFFICIAL PROCEEDINGS TOWN OF DYERSVILLE.

**H. F. 365.** AN ACT to legalize the incorporation and the official proceedings of the town of Dyersvilee in the county of Dubuque and State of Iowa.

**Doubts as to legality of incorporation.** Whereas, Doubts have arisen as to the Legality of the Incorporation of the Town of Dyersvilee in the County of Dubuque and State of Iowa—and in the election of its officers and the ordinances passed by the Town Council of said Town Therefore:

*Be it enacted by the General Assembly of the State of Iowa:*

**Acts legalized** SECTION 1. That the Incorporation of said Town of Dyersvilee in Dubuque County and State of Iowa, the election of its officers and all the official acts done and ordinances passed by the Town Council of said Town not in contravention with the Laws of Iowa are hereby legalized and the same are made valid as though the Law had in all respects been strictly complied with.

**Publication.** Sec. 2. This act being deemed of immediate importance shall be in force and take effect from and after its publication in the Des Moines Leader and the Dyersvilee Commercial newspapers published at Des Moines and Dyersvilee Iowa without expense to the State.

Approved April 23d, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader*, April 24, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 91.

## LEGALIZE INCORPORATION TOWN OF SIOUX RAPIDS.

**S. F. 408.** AN ACT to legalize the incorporation of the town of Sioux Rapids, and its ordinances and the acts of its officers thereunder.

**Incorporation** WHEREAS, the town of Sioux Rapids, in Buena Vista county, Iowa was incorporated in the year 1882 under the general laws of this state for the incorporation of cities and towns; and,

WHEREAS, the records of said town and of the county wherein the same is situated do not show clearly that the petition for incorporation presented to the proper court was sufficient in number of petitioners and territory described and the orders of said court in relation thereto are not as full and complete as the same should be, and the records of the appointment of commissioners to hold the election thereunder, and the records of said election for incorporating are defective in dates, in qualification of the Judges thereof, and the place of holding the same, and reports of said Judges to said court, and the records of said town and county do not show the publication of the result thereof as provided by law, nor the filing of certified copies as required: and,

WHEREAS, the records of said town do not in all cases recite the fact that the ordinance thereof were read the required number of times, that the proper number of council were present and voted in all cases when the same were passed, and that the records do not in all cases show that the yeas and nays were called and recorded in every instance, nor do they in all cases show the suspension of the rules where the same would have been required, and that the records do not in all cases show the publication of said ordinances as required by law, and said records also show certain other like irregularities not effecting the rights of the people of said town; and,

WHEREAS, doubts have risen as to the validity and legality of said acts of incorporation, and as to the validity and legality of the ordinances passed by the town council of said town, under said incorporation, and as to the validity and legality of all other acts done by said town council or other officers of said town since said incorporation: Therefore.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the incorporation of the said town of Sioux Rapids be and the same is hereby legalized and made of incorporation properly legalized. That the incorporation of the said town of Sioux Rapids be and the same are hereby declared to be legal and of the same force and effect as though all the steps in reference to the incorporation thereof had been each and severally shown upon the records of said incorporation and of said court and that all the ordinances of said Town Council and not in contravention of law be and the same are hereby declared to be legal and of the same force and effect as though the records showed acts and each and all of them said to have been omitted and shown in the records named in the preamble hereto, and the same as though there had been no defects or omissions in the acts of Incorporation or in the ordinances passed by the town council or acts of said council or other officers of said town or county relating thereto.

SEC. 2. That the incorporation of the said town of Sioux Rapids be, and the same is hereby legalized, and the said town of Sioux Rapids is hereby declared to be a valid existing

Acts of coun-  
cil legalizing

municipal corporation, under the laws of this state, and that all the ordinances passed by the town council of said town, and all the acts of the town council or other officer of said town done since its incorporation, are hereby declared to be as legal and binding to all intents and purposes whatsoever, as the same would have been had there been no defects or omissions in the acts of incorporation or in the ordinances passed by the town council or in the other acts of said council or other officers of said town.

Publication.

SEC. 3. This act being deemed of immediate importance shall take effect from and after its publication in the *Iowa State Register*, a newspaper published at Des Moines, Iowa, and the *Sioux Rapids Press*, a paper published at Sioux Rapids, Buena Vista county, Iowa, without expense to the State.

Approved April 23d, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Sioux Rapids Press*, May 1, 1890.

FRANK D. JACKSON, *Secretary of State*.

## CHAPTER 92.

### LEGALIZE ELECTRIC LIGHT FRANCHISE—WHAT CHEER.

H. F. 505. AN ACT to legalize the granting of a franchise for electric light by the City of What Cheer, Iowa.

Franchise granted without an election.

Whereas, In the present year, 1890, the City Council of the City of What Cheer, Iowa, granted to the What Cheer, Electric Light and Power Co. a franchise for the purpose of generating electric light, and said franchise was granted without a vote of the electors of said City first having had upon the question of its granting, and

Doubts as to legality.

Whereas, by reason of the failure to hold such election, doubts have arisen as to the legality of said action by said City council therefore.

*Be it enacted by the General Assembly of the State of Iowa:*

Franchise declared legal.

SECTION 1. That the action of the City council of the City of What Cheer Iowa, in granting a franchise to the What Cheer Electric Light and Power Co. be declared legal and valid to the same extent as through [though] an election had been held therefor by the electors of the said City.

Publication.

SEC. 2. This act being deemed of immediate importance, shall be in force and effect from and after its publication in

the Des Moines Leader a newspaper published at Des Moines, Iowa, and the What Cheer Reporter, a newspaper published at What Cheer, Iowa, without expense to the State.

Approved April 17th, 1890.

I hereby certify that the foregoing act was published in the *Des Moines Leader* April 24 and *What Cheer Reporter* April 23 1890.  
FRANK D. JACKSON, *Secretary of State.*

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## CHAPTER 93.

### LEGALIZE INCORPORATION TOWN OF GUTHRIE CENTER.

AN ACT to legalize the incorporation of the town of Guthrie Center H. F. 434. Guthrie County, Iowa, the election of its officers, and all of the acts and ordinances of said town.

Whereas doubts have arisen as to the legality of the incorporation of the town of Guthrie Center, Guthrie County, Iowa, and as to the election of its officers and the acts and ordinances of said town; Therefore

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the incorporation of the said town of Guthrie Center, Guthrie County, Iowa, the election of its officers and all of the official acts done and ordinances passed by the council of said town, not in contravention of the laws of the state, are hereby legalized, and the same are hereby declared to be valid and binding, the same as though the law had in all respects been strictly complied with in the incorporation of said town, the election of its officers and in the passing of its ordinances.

SEC. 2. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register; published at Des Moines, Polk County, Iowa, and in the Guthrian and the Guthrie Times, newspapers published at Guthrie Center, Guthrie County, Iowa, without expense to the State.

Approved April 15th 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 18 and the *Guthrie Times* and *Guthrian* April 24 1890.  
FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 94.

## LEGALIZE ORDINANCES TOWN OF MITCHELLVILLE.

S. F. 153. AN ACT legalizing certain ordinances of the incorporated town of Mitchellville in the County of Polk and State of Iowa.

Doubts as to legality of ordinances. WHEREAS doubts have arisen as to the legality of certain ordinances of the incorporated town of Mitchellville Iowa adopted by the council of the Incorporated town aforesaid, for the reason that the recorder of said town in some cases failed to keep a record of the votes taken upon the passage of an ordinance and in some instances the record fails to show the yeas and nays, when such were required and in some instances the records do not show that said ordinances were read on there seperate days or that a suspensions of the rules was had, and whereas many of said ordinances were not numbered and recorded in a book kept for that purpose and duly authenticated by the signature of the presiding officer and the clerk and

Not recorded. Book provided. WHEREAS the said Council of said Incorporated town of Mitchellville now has an Ordinance book as provided by section 492 Code of Iowa which contains several recently passed ordinances Therefore

*Be it enacted by the General Assembly of the State of Iowa:*

Acts legalized. SECTION 1. That all acts, resolutions and ordinances heretofore passed by the town council of said town, as to which there was or is any failure or failures, defect or defects, omission or omissions, such as are in the foregoing preamble recited, are hereby, notwithstanding any such failure, defect or omission, with respect thereto, and only in such respect, legalized and given the same force and effect, as if the same had, in the particulars mentioned, been passed and recorded, in strict compliance with the laws relating to the passage of acts, resolutions and ordinances by incorporated towns.

Publication. SEC. 2. This act being deemed of immediate importance shall take effect from and after its publication in Iowa State Register and the Mitchellville Index newspapers published in the state of Iowa without expense to the state.

Approved April 12th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 19, and *Mitchellville Index* April 18, 1890.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 95.

## LEGALIZING INCORPORATION TOWN OF GILMORE CITY

AN ACT to legalize the incorporation of the town of Gilmore City H. F. 268. in Humboldt and Pocahontas Counties, Iowa, and a subsequent annexation thereto, and the ordinances and the official acts of the town council thereof

WHEREAS the town of Gilmore City, Humboldt County, Iowa, was duly incorporated at a time prior to the month of August A. D. 1887 and there appear to have been certain informalities in the incorporation of the same and in the records thereof, and

WHEREAS at a time subsequent to the incorporation thereof a certain portion of adjacent territory lying in Pocahontas County, Iowa, was annexed thereto and there appear to have been certain informalities in the annexation thereof and in the records of the same, and

WHEREAS in default of the publication of a newspaper No record. therein, notices of the passage of certain ordinances and other acts of the town council thereof were posted as required by law but no record of the same kept by the recorder thereof, and

WHEREAS doubts have arisen as to the legality of the incorporation, the annexation and the ordinances and acts of the town council thereof, therefore

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the incorporation of the said town of Gilmore City in Humboldt and Pocahontas Counties, Iowa, the annexation of the adjacent territory thereto, the election of officers therein, the passage of ordinances, resolutions and rules by the town council thereof, the levy of taxes therein, and all the official acts of the town council thereof which are not in conflict with the laws of the State of Iowa and which are within the limits of the powers of incorporated towns, be and the same are hereby legalized and declared to be valid the same as if strict compliance with the formalities of the law in relation thereto had been had.

SEC. 2. This act being deemed of immediate importance Publication. shall take effect and be in force from and after its publication in the Iowa State Register and the Gilmore City Gazette, newspapers published at Des Moines and Gilmore City, Iowa, without expense to the state.

Approved April 11th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 19 and *Gilmore City Gazette* April 24 1890.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 96.

## LEGALIZING ELECTRIC LIGHT PLANT—MONTEZUMA.

S. F. 304.

**AN ACT** legalizing the electric light plant in the town of Montezuma, Iowa, and the ordinances authorizing its establishment and contracting for electric light for the streets of said town.

Ordinances authorizing electric light plant.

WHEREAS, the council of the town of Montezuma, Iowa, adopted ordinances authorizing W. R. Lewis, or assigns to establish an electric light plant in the town of Montezuma, Iowa, and contracting with them for electric light for the streets of said town without first submitting the question to a vote of the legal electors of said town; and whereas, said plant and light have been established and are now in operation pursuant to said ordinances.

*Be it enacted by the General Assembly of the State of Iowa:*

Acts and ordinances legalized.

SECTION 1. That said electric plant in the town of Montezuma, Iowa, the ordinances authorizing its establishment and contracting for electric light for the streets in said town be and the same are hereby legalized and made of the same force and effect as if the legal voters of the town of Montezuma at an election duly held had by a majority voted in favor of establishing said electric light plant.

Approved April 10th, 1890.

## CHAPTER 97.

## LEGALIZING ELECTRIC LIGHT PLANT—BLOOMFIELD.

S. F. 305.

**AN ACT** legalizing the electric light plant in the town of Bloomfield, Iowa, and the ordinances authorizing its establishment and contracting for electric light for the streets of said town.

Ordinances authorizing electric light plant.

WHEREAS, the council of the town of Bloomfield, Iowa, adopted ordinances authorizing W. R. Lewis, or his assigns to establish an electric light plant in the town of Bloomfield, Iowa, and contracting with them for electric light for the streets in said town without first submitting the question to a vote of the legal electors of said town; and whereas, said plant and light have been established and are now in operation in accordance with said ordinances.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That said Electric Light plant in the town of Bloomfield, Iowa, the ordinances authorizing its establishment and contracting for electric light for the streets of said town be and the same are hereby legalized and made of the same force and effect as if the legal voters of the town of Bloomfield at an election duly held had by a majority voted in favor of establishing said electric light plant.

Approved April 10th, 1890.

Acts and  
ordinances  
legalized.

## CHAPTER 98.

### LEGALIZE INCORPORATION TOWN OF GRAND MOUND.

AN ACT to legalize the incorporation of the town of Grand Mound S. F. 411. Clinton County, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

Whereas; Proceedings were had in the Circuit Court of the State of Iowa, in and for Clinton County, at the January Term, 1884, of said court for the incorporation of the said Town of Grand Mound, and a certified copy of all papers and record entries relating to the matter on file in the office of the Clerk of said court were filed in the office of the Secretary of State on the 3rd day of April, 1884, but there is no record to show that a certified copy of said record and papers was filed in the office of the Recorder of said County, and;

Whereas; Doubts have arisen as to the legality of the incorporation of said Town of Grand Mound, of the election of its officers, and of the acts done and ordinances passed by the Council of said Town; Therefore,

Error in not  
filling with  
Recorder.

Doubts as to  
legality.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the incorporation of the said Town of Grand Mound, the election of its officers, and all acts done and ordinances passed by the Council of said Town are hereby declared legal and valid, the same as though the laws relating to the incorporation of towns had been strictly complied with; provided, however, that a certified copy of all papers and record entries relating to the matter on file in the office of the Clerk of said court at the close of the proceedings in said court in said matter be filed in the office of the recorder of said county within thirty days from the passage of this act.

Copies to be  
filed with  
Recorder.

Publication. SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Des Moines Leader and the Clinton County Advertiser, newspapers published at Des Moines and Lyons, Iowa, without expense to the State.

Approved April 10th 1890.

I hereby certify that the foregoing act was published in the *Des Moines Leader* April 17, and the *Clinton County Advertiser* April 19 1890.

## CHAPTER 99.

### LEGALIZE ACTS TOWN COUNCIL ARCADIA.

S. F. 210. AN ACT to legalize the acts of the council of the incorporated town of Arcadia in Carroll County, Iowa.

Town incorporated. Whereas; The Town of Arcadia in Carroll County State of Iowa was incorporated in the year 1881; and

Doubts as to legality. Whereas: Doubts have arisen as to the legality of the incorporation of said town of Arcadia Carroll County Ia; The election of its officers; The levying of taxes; The ordinances passed by the council of said town from the time of its incorporation up to time of the passage of this act, and

Error in records. "Whereas, The Town of Arcadia was organized according to law, its ordinances passed and published as the law provides, and taxes levied and its acts generally performed in accordance with law, but the records do not in all cases show the actual facts in the case, therefore"

*Be it enacted by the General Assembly of the State of Iowa:*

Incorporation acts, elections, etc., legalized. SECTION 1. That the incorporation of the said town of Arcadia, Carroll County Ia; the election of its officers and all the official acts done and ordinances passed by the council of said town, not in contravention with the Laws of the State, are hereby legalized, and the same are hereby declared valid and binding, the same as though the Law had in all respects been strictly complied with in the incorporation of said town, election of its officers and the passing of its ordinances.

Publication. SEC. 2. This act being deemed of immediate importance, shall be in force and take effect from and after its publication in the Des Moines Leader, published at Des Moines Ia, the

Carroll Sentinel and Der Carroll Democrat newspapers published at Carroll Carroll County Ia, said publication to be without expense to the state.

Approved April 10th, 1890.

I hereby certify that the foregoing act was published in the *Des Moines Leader* April 17, *Carroll Sentinel* April 18 and *Der Carroll Democrat*, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 100.

### LEGALIZE ANNEXATION TOWN OF WHAT CHEER.

#### AN ACT To Legalize The Annexation Of Certain Territory To The House File 1. Town Of What Cheer, In Keokuk County.

WHEREAS, In years 1882 and 1883, the council of the incorporated town of What Cheer, in Keokuk County, took steps to annex the following territory to said town, to-wit:—The North Half of the North West Quarter of Section Ten (10); the South East Quarter of the Northwest quarter of Section Ten (10); the North half of the North East quarter of Section Nine (9); the South West quarter of the North East quarter of section Nine (9); the West half of the South East quarter of Section Nine (9); the East half of the North East quarter of the South West quarter of Section Ten (10); the North Half of of the North East quarter of Section Sixteen (16) and the North Half of the North West quarter of Section Fifteen (15) all in Township Seventy Six (76)-Range Thirteen (13) West of the Fifth Principal Meridian and

WHEREAS, Said council endeavored to proceed in accordance with the provisions of Chapter 47, of the Acts of the 16th General Assembly, and

WHEREAS, The records of said council fail to show that the said council fixed the boundaries of said town as enlarged to. the proposed extent and

WHEREAS, There is no record showing that the day of election was fixed by resolution of said council and

WHEREAS, An election was held at which a majority of all the legal votes cast were in favor of said annexation and said election and all other proceedings connected therewith were regular and in accordance with law and

WHEREAS, Since said time said town has become a city of the second class, and as such has exercised lawful jurisdiction over the territory above described, by levying and collecting

Description of annex.

Records defective.

No record as to election.

Holding an election.

City of the second class

**Doubts.** taxes, improving streets and alleys, and electing officers and  
**WHEREAS,** Doubts have arisen as to the legality of such annexation of territory, therefore,

**Annexation legalized.** *Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1.** That the annexation of the territory described in the preamble hereof to the town of What Cheer, in Keokuk County, be and the same is hereby legalized and declared to be as valid as though the proceedings connected therewith were in strict conformity to law.

**Publication.** **SEC. 2.** This act shall be in force and effect from and after its publication in the Des Moines Leader, and the Iowa State Register, newspapers published at Des Moines, Iowa, provided that such publication be made without expense to the State.

Approved March 22, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* March 26 and the *Des Moines Leader* March 27 1890.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 101.

### LEGALIZE INCORPORATION TOWN OF PAULINA

**H. F. 155.** **AN ACT** to Legalize the Incorporation of the Town of Paulina O'Brien County, Iowa, the Election of its Officers, and All Acts Done and Ordinances Passed by the Council of Said Town.

**Doubts as to legality of incorporation.** **WHEREAS,** doubts have arisen as to the legality of the incorporation of the town of Paulina O'Brien County Iowa, the election of its officers and the Ordinances passed by the Council of said town: therefore

*Be it enacted by the General Assembly of the State of Iowa:*

**Incorporation election, etc., legalized:** **SECTION 1.** That the incorporation of the said town of Paulina O'Brien County, Iowa, the election of its officers, and all the official acts done and the ordinances passed by the council of said town not in contravention with the laws of the State, are hereby legalized, and the same are hereby declared to be valid and binding, the same as though the law had in all respects been strictly complied with in the incorporation of said town, the election of its officers and the passing of its ordinances.

Approved April 5th 1890.

## CHAPTER 102.

## LEGALIZING INCORPORATION TOWN OF ROCK VALLEY.

AN ACT to Legalize the Incorporation of the Town of Rock Valley, H. F. 354. Sioux Co, Iowa, the Election of its Officers, the Official Acts Done and Ordinances of Said Town.

WHEREAS: Doubts having arisen as to the legality of the incorporation of the town of Rock Valley, Sioux County, Iowa, and some of the ordinances passed by the council of said town, arising out of the fact that the commissioners appointed, gave notice for the election of only five trustees, instead of six: and at the first election only five trustees were elected.

WHEREAS: Doubts having arisen as to the legality of other ordinances and acts of the town council of said town and its officers.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the incorporation of said town of Rock Valley, Sioux County, Iowa. The election of its officers and all the official acts done, and the ordinances passed by the council of said town not in contravention with the laws of the state, are hereby legalized and the same are hereby declared to be valid and binding.

SEC. 2. This act being deemed of immediate importance shall be in force and take effect from and after its publication in the Des Moines Register and Rock Valley Register, News-papers published respectively, in Des Moines and Rock Valley Iowa, without expense to the State.

Approved April 5th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* May 15 and *Rock Valley Register* April 17 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 103.

## LEGALIZING PROCEEDINGS TOWN COUNCIL ALBION

H. F. 47. AN ACT to Legalize the Ordinances Resolutions and Proceedings of the Council of the Incorporated Town of Albion Marshall Co. Iowa.

Proceedings not properly recorded. WHEREAS certain ordinances Resolutions and proceedings of the Council of the incorporated Town of Albion Marshall Co., Iowa were not properly recorded in their book of records and the minutes of the proceedings of said council have not been preserved, and

Questions as to legality. WHEREAS questions have arisen as to the legality of the proceedings of said council from date "April 15th 1876" to "May 26th 1888" therefore

*Be it enacted by the General Assembly of the State of Iowa:*

Ordinances proceedings, etc.. legalized. SECTION 1. That all acts resolutions ordinances and proceedings of the Council of the incorporated Town of Albion Marshall County Iowa (from April 15th 1876 up to May 26th 1888) are hereby legalized and of as binding force as though they had been in strict conformity with law.

Publication. SEC. 2. This act being deemed of immediate importance shall be in force and effect from and after its publication in the Iowa State Register and Des Moines Leader newspapers published at Des Moines Iowa without expense to the State.

Approved April 5th 1890.

I hereby certify that the foregoing act was published in the Des Moines Leader April 12 1890,

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 104.

## LEGALIZE STREET EXTENSION TOWN OF LAWLER.

H. F. 416. AN ACT to Legalize the Extension of Benz Street in the Incorporated Town of Lawler in Chickasaw County, Iowa.

Records of extension defective. Whereas the town council of the Incorporated Town of Lawler in Chickasaw County, Iowa, by resolution extended Benz Street in said town from Grove Street in said town, North to the Jacksonville road, and has exercised jurisdiction

over said street and kept the same open for public travel for many years, but no plat thereof was ever made and recorded, and the records of said town are defective in this that said records fail to show the action of such council in extending said street—and doubts have arisen as to the right of the authorities of said Town to Control such street, therefore

*Be it enacted by the General Assembly of the State of Iowa:*

That the action of the town council of Lawler, Chickasaw <sup>Proceedings</sup> County, Iowa, in laying out the extension of Benz street in <sup>legalized.</sup> said town from Grove Street to the junction thereof with the highway known as the Jacksonville road be and the same is hereby legalized and said extension of Benz street is hereby declared to be a public street of said town as fully and completely as if all the formalities of law had been complied with in laying out and platting said street.

Approved April 11th, 1890.

## CHAPTER 105.

### LEGALIZE REVISED ORDINANCES CITY OF INDEPENDENCE.

AN ACT Legalizing the Revised Ordinances of the City of Independence- H. F. 263. ence in Buchanan County, Iowa.

Whereas, the City Council of the City of Independence in <sup>Ordinances</sup> Buchanan County, Iowa, on the 11th day of April 1888 <sup>revised.</sup> passed and adopted certain ordinances, denominated the "Revised Ordinances of the City of Independence"; and

Whereas, The said Revised Ordinances were published in <sup>Published in</sup> book form instead of being published in a newspaper of <sup>book form.</sup> general circulation in the municipal corporation as required by Section 492 of the Code; and

Whereas, Doubts have arisen as to the legality of said <sup>Doubts.</sup> Revised Ordinances because of the manner in which the same were published; therefore,

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the Revised Ordinances passed and <sup>Ordinances</sup> adopted by the City Council of the City of Independence in Buchanan County Iowa, on the 11th day of April 1888, and <sup>legalized.</sup> not inconsistent with the laws of Iowa, are hereby legalized, and the same are hereby declared to be valid and binding, and

## Publication.

shall have the same force and effect as though all the requirements of Section 492 of the Code, in regard to the publication of ordinances, had been fully complied with.

Sec. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and the Independence Conservative, newspapers published respectively in Des Moines and Independence Iowa, without expense to the State.

Approved April 11th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* May 9, and the *Independence Conservative* April 23 1890.  
FRANK D. JACKSON, Secretary of State.

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## CHAPTER 106.

### LEGALIZE ACTS COUNCIL OF CHARLES CITY.

## S. F. 90.

AN ACT legalizing the acts of the Council of the City of Charles City, Floyd County, Iowa, and legalizing the ordinances and resolutions passed, and adopted for the government of said City.

## Acts and resolutions adopted.

WHEREAS, The City of Charles City, Floyd County, Iowa, through its Council passed and adopted ordinances and resolutions, and performed such other acts as properly devolved upon said Council by law, and

## Failure of records to show members present.

WHEREAS, In certain cases the records of said acts, ordinances and resolutions, fail to show what members of said Council were present at the meetings when such acts, ordinances and resolution were passed, that a sufficient number of members were present at the meetings to legally pass same, that the rule was suspended by a three fourths vote of said Council, that the yeas and nays were called on the passage thereof, and the records of which city also fail to show that such ordinances were in all cases published as required by law, therefore

*Be it enacted by the General Assembly of the State of Iowa:*

## Ordinances and resolutions legalized.

SECTION 1. That the ordinances and resolutions of the City of Charles City, Floyd County, Iowa, and the acts of the Council of said City of Charles City in reference thereto, be and the same are hereby legalized and declared to be valid and binding to the same extent as though all the requirements of law had in each and every respect been complied with, and the records of such city showed such compliance.

Approved March 17, 1890.

## CHAPTER 107.

## LEGALIZE ACTS CITY COUNCIL CITY OF KEOKUK.

AN ACT to legalize the action of the City Council of City of Keokuk H. F. 506. granting John C. Hubinger and to his successors and assigns the privilege to such in the Streets and alleys of said City the necessary poles, wires and conduits to properly maintain and operate an Electric System for furnishing Electric Light and power to the inhabitants of the City Keokuk.

WHEREAS, the City Council of the city of Keokuk did on <sup>Ordinance No. 40 passed.</sup> July 16th, 1888, passed an Ordinance No. 40 granting the power above mentioned to John C. Hubinger and to his successors and assigns.

WHEREAS, Doubts have arisen as to the power to pass such <sup>Doubts as to</sup> Ordinance without a vote of the people to approve same under Section 639 Code 1873, Laws of Iowa as amended by the 22nd, General Assembly Chapter 11 and 26 Therefore.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the act of the City Council of the City of Keokuk in granting J. C. Hubinger and his successors and assigns the power aforesaid without the vote of the people be and same is hereby legalized.

Sec. 2. This act being deemed of immediate importance <sup>Publication.</sup> shall be in force and effect from and after its publication in the Iowa State Register and Keokuk Gate Newspapers published at Des Moines and Keokuk Iowa provided that said publication be without expense to the State.

Approved April 17th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 24, and the *Gate City* April 28, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 108.

## LEGALIZE TAX LEVY IN CARROLL COUNTY.

S. F. 211. AN ACT to Legalize the levy of certain taxes for certain years in Carroll County Iowa.

*Be it enacted by the General Assembly of the State of Iowa:*

Taxes levied and assessed for certain years legalized.

SECTION 1. That the taxes assessed or levied by Carroll county of this state for the years 1884, 1885, 1886, 1887, 1888 and 1889, under Chapter 200 of acts of Twentieth General Assembly, are hereby legalized and made valid to the same extent as though such countie [county] had had the power to levy the same, notwithstanding the proviso in section one of said Chapter. Provided the said levy made by the Board of Supervisors exclusive of any levy made by the board of township trustees, shall not be in excess of one mill on the dollar, of the assessed value of the taxable property of the County.

Publication.

This act being deemed of immediate importance the same shall be in force and effect from and after its publication in the Iowa State Register and State Leader, Newspapers published in Des Moines Iowa, without expense to the State.

Approved April 10, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 16 and the *Des Moines Leader* April 17 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 109.

## LEGALIZE ACTS BOARD OF SUPERVISORS JOHNSON COUNTY ALCOCK DITCH.

S. F. 226. AN ACT to legalize the proceedings of the board of supervisors of Johnson County Iowa in locating and causing to be constructed a ditch in Fremont Township in said county known as the Alcock ditch, and to provide for an assessment and levy of the costs and expenses thereof on the lands benefited thereby.

Acts of board of supervisors invalid.

Whereas the proceedings of the board of supervisors of Johnson County Iowa in the years 1882-83-84 in respect to the location and construction of a ditch known as the Alcock ditch, in Fremont Township Johnson County Iowa, and in assessing and levying the costs and expenses thereof on the land benefited thereby are claimed to have been invalid,

because said proceedings do not show upon their face that said ditch was petitioned for by a majority of persons resident in the county and owning land adjacent to such ditch; and because, as it is claimed, such majority did not in fact petition therefor; and because of a failure to serve notice of the pendency of such proceedings as provided by law, and for irregularities in letting the contract for the construction of said ditch; and because such ditch is not necessary; and because of other irregularities and informalities, as alleged, in the proceedings of the board of supervisors in locating and constructing said ditch, and in the assessment and levy of the costs and expenses thereof.

And whereas on a writ or writs of certiorari issued out of the Circuit Court of Johnson County on the petition of sundry owners of land in said county assessed for the costs of said ditch, the assessment of the lands of said petitioners have been, by a judgment of said Court and of the Supreme Court of Iowa, adjudged invalid and set aside; and whereas the collection of the tax levied, or attempted to be levied, by the said board of supervisors on the lands adjacent to said ditch has been enjoined by the Circuit Court of Johnson County Iowa in sundry cases; and whereas the said ditch was constructed under and in pursuance of the said order and proceedings of the said board of supervisors, and under contracts entered into under the same and on the faith thereof; and whereas the auditor of Johnson County issued certain warrants for the cost and expenses of locating and constructing said ditch; and whereas in sundry suits brought upon some of said warrants in the District Court of Johnson County Iowa against said county judgment has been rendered for the defendant and said warrants held to be invalid, and the county not liable therefor; and whereas the said warrants were issued in good faith and for a valuable consideration, based upon the said order and proceedings of the said board of supervisors; therefore,

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the proceedings of the board of supervisors of Johnson County Iowa in the years 1882-83-84 in respect to the location and construction of a ditch known as the Alcock ditch, in Fremont Township Johnson County Iowa, including the orders of the said board of supervisors for the location and construction of said ditch, the letting and making of contracts therefor be, and the same are hereby legalized and shall be held and decreed valid and effectual to the same extent and effect in all respects as to the said proceedings as if the same had fully conformed to the law when taken; and said ditch as actually constructed shall be held to be a lawful ditch, and all provisions of the law applicable to

Reasons why  
invalid.

Writs of cer-  
tiorari issued.

Warrants  
issued by Co.  
auditor.

Suits on war-  
rants.

Acts of board  
in location,  
construction,  
etc., legal-  
ized.

a ditch constructed under Ch. 2, Title 10 of the Code, and the amendments thereto shall apply to the said ditch.

Board to ascertain amount of costs.

SEC. 2. The board of supervisors of Johnson County shall, at their regular meeting next after the expiration of 30 days from the taking effect of this act, proceed to ascertain anew the total amount of the costs and expenses of the construction of said ditch, including interest accrued and to accrue on the excess of the amount of any unpaid warrants issued for payment for work done or expenses in locating and constructing said ditch over and above the amount of money applicable to such payments now in the hands of the treasurer of Johnson County, including the costs and expenses of the proceedings in locating and constructing said ditch (exclusive of any expense or cost of litigation in reference thereto). The

Expenses of litigation excluded.

said board shall reapportion and reassess said amounts so ascertained among the and upon the lands in said county benefited by the location and construction of the said ditch in proportion to the amount of benefit to the said lands respectively.

Basis of reapportionment.

Said board shall take as the basis for said apportionment and reassessment the list or schedule of lands in said county heretofore assessed by them for said ditch as benefited thereby; but all persons interested in or affected by said assessments

Right of hearing.

shall have the right to appear and be heard before said board in respect to said apportionments and assessments, and the said board shall on such hearings make such changes, both in respect to the lands to be assessed and the amounts to be assessed thereon respectively, as in their judgment may be necessary to make such apportionments and assessments just and equitable. On the completion of said apportionments and reassessments all the provisions of law applicable to apportionments and assessments made under and by virtue of Ch. 2.

Completion of apportionment and reassessment.

of Title 10 of the Code and the amendments thereto in respect to the mode of levy and collection and application of the proceeds thereof and appeals therefrom shall apply to the said reassessments hereby directed, provided that the owners of any lands so assessed shall be entitled to credit upon their reassessment for any payments made and not refunded upon any previous assessment made or assumed to be made upon said land, for or on account of the construction of said levy; and provided further that when any previous assessment made by the said board of supervisors, against any of said land to pay for the construction of said ditch has been paid in full the said land shall not be reassessed for said ditch.

Certain credits.

SEC. 3. In making the reapportionment and reassessment provided for in this act, any land that has actually been sold and conveyed between June 28th 1887 and March 18th 1890, shall not be reassessed; but the failure to reassess any such land shall not operate to increase the assessment on any other land affected by this Act. Provided, that the warrants issued

Lands actually sold and conveyed.

by the county auditor for the construction of said ditch shall be paid pro-rata from the proceeds of the reapportionment, reassessment, levy and collection herein provided for."

Sec. 4. This act being deemed of immediate importance Publication. shall take effect from and after its publication in the "Iowa State Press" a newspaper published at Iowa City Iowa, and in the "Des Moines Leader, a newspaper published at Des Moines Iowa, such publication to be without expense to the state.

Approved April 5, 1890.

I hereby certify that the foregoing act was published in the *Des Moines Leader* April 12 and the *Iowa State Press* April 16 1890.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 110.

### LEGALIZE ACTS BOARD OF SUPERVISORS JOHNSON COUNTY—WALKER DITCH.

AN ACT to legalize the proceedings of the board of supervisors of S. F. 397. Johnson County Iowa in locating and causing to be constructed a ditch in Fremont Township in said county known as the Walker ditch, and to provide for an assessment and levy of the costs and expenses thereof on the lands benefited thereby.

Whereas the proceedings of the board of supervisors of Johnson County Iowa in the years 1882-83-84 in respect to the location and construction of a ditch known as the Walker ditch, in Fremont Township, Johnson County Iowa, and in assessing and levying the costs and expenses thereof on the land benefited thereby are claimed to have been invalid, because said proceedings do not show upon their face that said ditch was petitioned for by a majority of persons resident in the county and owning land adjacent to such ditch; and because, as it is claimed, such majority did not in fact petition therefor; and because of a failure to serve notice of the pendency of such proceedings as provided by law, and for irregularities in letting the contract for the construction of said ditch; and because such ditch is not necessary; and because of other alleged irregularities and informalities in the proceedings of the board of supervisors in locating and constructing said ditch; and in the assessment and levy of the costs and expenses thereof.

Acts Board of Supervisors invalid.

Reasons why invalid.

And whereas on a writ or writs of certiorari issued out of the Circuit Court of Johnson County on the petition of sundry owners of land in said county assessed for the costs of said ditch, the assessment of the lands of said petitioners have

Writ of certiorari issued

been, by a judgment of said Court and of the Supreme Court of Iowa, adjudged invalid and set aside.

And whereas the collection of the tax levied, or attempted to be levied, by the said board of supervisors on the lands adjacent to said ditch has been enjoined by the Circuit Court of Johnson County Iowa in sundry cases.

And whereas the said ditch was constructed under and in pursuance of the said order and proceedings of the said board of supervisors, and under contracts entered into under the same and on the faith thereof.

Warrants issued by county auditor.

And whereas the auditor of Johnson County issued certain warrants for the costs and expenses of locating and constructing said ditch.

And whereas in sundry suits brought upon some of said warrants in the District Court of Johnson County Iowa against said county judgment has been rendered for the defendant and said warrants held to be invalid, and the county not liable therefor.

And whereas the said warrants were issued in good faith and for a valuable consideration, based upon the said order and proceedings of the said board of supervisors.

Therefore,

*Be it enacted by the General Assembly of the State of Iowa:*

Acts of Board in locating, constructing, etc., legalized.

SECTION 1. That the proceedings of the board of supervisors of Johnson County Iowa in the years 1882-83-84 in respect to the location and construction of a ditch known as the Walker ditch, in Fremont Township Johnson County Iowa, including the orders of the said board of supervisors for the location and construction of said ditch; the letting and making of contracts therefore; be, and the same are hereby legalized and shall be held and decreed valid and effectual to the same extent and effect in all respects as to the said proceedings as if the same had fully conformed to the law when taken; and said ditch as actually constructed shall be held to be a lawful ditch, and all provisions of the law applicable to a ditch constructed under Ch. 2, Title 10 of the Code, and the amendments thereto, shall apply to the said ditch.

Board to ascertain amount of costs.

SEC. 2. The board of supervisors of Johnson County shall, at their regular meeting next after the expiration of 30 days from the taking effect of this act, proceed to ascertain anew the total amount of the costs and expenses of the construction of said ditch, including interest accrued and to accrue on the excess of the amount of any unpaid warrants issued for payment for work done, or expenses of locating and constructing said ditch over and above the amount of money applicable to such payments now in the hands of the treasurer of Johnson County, including the costs and expenses of the proceedings

in locating and constructing said ditch (Exclusive of any <sup>Cost of litigation</sup> expense or cost of litigation in reference thereto.)

The said board shall reapportion and reassess said amounts <sup>Basis of re-apportionment.</sup> so ascertained among and upon the lands in said county benefited by the location and construction of the ditch in proportion to the amount of benefit to the said lands respectively. Said board shall take as the basis for such apportionment and reassessment the list or schedule of lands in said county heretofore assessed by them for said ditch, as benefited thereby; but all persons interested in or affected by said assessments shall have the right to appear and be heard before said board <sup>Right of hearing.</sup> in respect to said apportionments and assessments, and the said board shall on such hearings make such changes, both in respect to the lands to be assessed and the amount to be assessed thereon respectively, as in their judgment may be necessary to make such apportionments and assessments just and equitable. On the completion of said apportionments and reassessments all the provisions of law applicable to apportionments and assessments made under and by virtue of Chapter 2 of Title 10 of the Code and the amendments thereto in respect to the mode of levy and collection and application of the proceeds thereof and appeals therefrom shall apply to the said reassessments hereby directed, provided that the owners of any lands so assessed shall be entitled to credit upon <sup>Completion of apportionment and reassessment.</sup> their reassessment for any payments made and not refunded upon any previous assessment made or assumed to be made upon said land, for or on account of the construction of said levy; and provided further that when any previous assessment made by the said board of supervisors against any of said land to pay for the construction of said ditch has been paid in full the said land shall not be reassessed for said ditch.

“SEC. 3. In making the reapportionment and reassessment provided for in this act, any land that has actually been sold and conveyed between June 28th 1887 and March 18th 1890 shall not be reassessed; but the failure to reassess any such land shall not operate to increase the assessment on any other land affected by this act. Provided, that the warrants issued by the county auditor for the construction of said ditch shall be paid pro-rata from the proceeds of the reapportionment, reassessment, levy, and collection herein provided for.”

SEC. 4. This act being deemed of immediate importance <sup>Publication.</sup> shall take effect from and after its publication in the “Iowa State Press,” a newspaper published at Iowa City, and in “The Des Moines Leader,” a newspaper published at Des Moines Iowa, such publication to be without expense to the State.

Approved April 5, 1890.

I hereby certify that the foregoing act was published in the *Des Moines Leader* April 12 and *Iowa State Press* April 16 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 111.

## LEGALIZE ACTS BOARD OF SUPERVISORS CLINTON COUNTY.

S. F. 301. AN ACT legalizing a certain action of the Board of Supervisors of Clinton County Iowa.

*Be it enacted by the General Assembly of the State of Iowa:*

Acts transfer-  
ring certain  
territory leg-  
alized.

SECTION 1. That the act of the board of supervisors of the County of Clinton, in transferring from the township of Clinton, and attaching to the township of Lincoln in said County, all that part of the territory of the township of Clinton which was situated outside of the incorporated limits of the city of Clinton and of the incorporated town of Chauncy, be and the same is hereby legalized.

Publication.

This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Des Moines Leader a newspaper published at Des Moines and the Clinton Morning News published at Clinton Iowa without expense to the state.

Approved, March 17, 1890.

I hereby certify that the foregoing act was published in the *Des Moines Leader* and the *Clinton Morning News* March 20 1890.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 112.

LEGALIZE ACT BOARD OF SUPERVISORS CALHOUN CO HELL AND SHIP-  
MAN SLOUGH DITCHES.

S. F. 412. AN ACT to Legalize the Proceedings of the Board of Supervisors of Calhoun County, in Locating and Constructing Ditches in said County, and in Assessing the Costs Thereof, on the Lands Benefited thereby.

Petition  
for ditches  
defective.

WHEREAS, a petition was presented to the Board of Supervisors of Calhoun County, in the year 1885, asking the construction of two certain ditches in said County, commonly known as Hell Slough and Shipman Slough ditches, along and through the Townships of Butler, Williams and Garfield, in said County, said petition for said ditches showing upon its face as the same was determined by said board of supervisors that it was signed by a majority of the owners of the land adjacent thereto, and

WHEREAS, doubts have arisen as to whether in fact said petition was signed by a majority of the owners of the lands adjacent thereto and

WHEREAS, doubts have arisen as to the legality of the appointment of an engineer in charge of said ditches and his report thereon, and

WHEREAS doubts have arisen as to the legality of the service of the notices for the location of said ditches, and the damages caused by the construction thereof; and as to the legality of the appointment of appraisers to assess the damages caused by the construction of said ditches, and their report thereon; and as to the legality of the order of said Board in locating said ditches; and as to the legality of certain alleged irregularities and deviations from the surveys, plats and profiles in making the contract for the construction of said ditches; and also as to the legality of the notices of the time and manner of the letting of said contract for the construction of said ditches; and also as to the legality of certain alleged deviations from the surveys, plats and profiles in the construction of said ditches; and also as to the legality of certain alleged irregularities in the appointment of a commission to assess the costs of said ditches on the lands benefitted thereby; and as to the legality of an alleged irregularity in the appointment of a second commission to make an additional and supplemental assessment of the costs of said ditches on the lands benefited thereby; and also as to the legality of certain alleged irregularities in the manner and time of the assessment of the costs of construction of said ditches on the lands benefited thereby, by said commissioners; and also as to the legality of certain alleged irregularities in the assessments of taxes on the lands benefited thereby; and also as to the legality of certain alleged irregularities in issuing bonds and warrants in payment for said work; and as to the legality of certain other alleged irregularities, and

Other irregularities.

Issue of bonds in payment.

Whereas, said ditches have been partially constructed under and in pursuance of said orders and proceedings of said Board and under a contract entered into under the same and on the faith thereof, therefore

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the proceedings of the Board of Supervisors of Calhoun County, Iowa, in the year 1885 and subsequent years, in respect to its action on the petition of the owners of the lands adjacent to the ditches above referred to, and in respect to the locating and constructing of said ditches, said ditches being commonly known as Hell Slough and Shipman Slough ditches, and both of said ditches beginning in Butler Township and terminating in Garfield Township of said county, including the orders of the Board of Supervisors

**Engineer.** and the Auditor in appointing an Engineer in charge of said ditches and the report of said engineer thereon, and the appointment of appraisers to assess the damages caused by the construction of said ditches and their report thereon, and the orders of the Board in locating and constructing said ditches, the letting and making of said contract therefor, the irregularities and deviations from the surveys, plats and profiles in making said contract for the construction of said ditches, the service of the notices for the location of said ditches and the damages caused by the construction thereof, the notice of the time and manner of the letting of the said contract for the construction of said ditches, the deviations from surveys, plats and profiles in the construction of said ditches, the appointment of the commission to assess the cost of said ditches on the lands benefited thereby, as well as the appointment of the second commission to make additional and supplemental assessments of the costs of said ditches on the lands benefited thereby, the irregularities in the manner and time of the assessments of the costs of construction of said ditches on the lands benefited thereby, by said commissions, the irregularities in the assessments of the taxes on the lands benefited thereby, the irregularities in the issuing of bonds and warrants in payment for said work, and all other acts done or performed by said Board of Supervisors or the officers of said County in connection with the construction of said ditches, Be and the same are hereby legalized and shall be held and decreed valid and effectual to the same extent and effect in all respects as to said proceedings, as if the same had fully conformed to the law when the same were had and taken, and said ditches as now constructed or hereafter to be constructed in accordance with the contract now made, shall be held and deemed to be lawful ditches, to be maintained and repaired as provided by law, in respect to such public improvements, and all provisions of the law applicable to ditches duly constructed under chapter two, title ten of the Code of 1873 and the amendments thereto, shall apply to said ditches.

**Issuing bonds.**

**Legalized.**

**Publication.** SEC. 2. This act being deemed of immediate importance shall take effect and be in force on and after its publication in the Calhoun Republican, a newspaper published in Rockwell City, Iowa, and the Iowa State Register, a newspaper published at Des Moines, Iowa, the provisions of section thirty three of the Code of 1873 to the contrary notwithstanding, such publication to be without expense to the State.

Approved April 12th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 19 and the *Calhoun Republican* April 18 1890.  
FRANK D. JACKSON, Secretary of State.

## CHAPTER 113.

## LEGALIZE CERTAIN DEED—DAVIS COUNTY.

AN ACT legalizing and declaring valid a certain deed or conveyance S. F. 426. of real estate, situated in Davis County, Iowa, made by Charles Parsons executor and trustee of the last will and testament of William M. McPherson, deceased, late of the City and County of St. Louis, State of Missouri, to J. D. Trebilcock.

WHEREAS, the last will and testament of the late William M. <sup>As to will of</sup> McPherson deceased, a resident of the city and county of St. Louis, Missouri, at the date of his death, was duly admitted to probate in the Probate court, and in for the county of St. Louis, Missouri, on the 9th day of November A. D. 1872, and Charles Parsons, John R. Shepley and John F. Gibbons were appointed and designated by said will as executors and trustees of the estate of said McPherson deceased, granting to said trustees and executors and to the survivors, and survivor of them, the power and authority to sell and convey the real estate the late William M. McPherson, deceased, died seized, and whereas the said executors and trustees gave bond, which was by the court approved, and qualified as such and whereas said Shepley and Gibbons each died prior to the 15th day of October 1884, leaving said Parsons sole executor and trustee of said estate, and whereas the late William M. McPherson, deceased, was at the date of his death the owner of and died seized of the title to the following described real estate situated in Davis County, State of Iowa, to-wit: The north west quarter of the north west quarter of section thirteen, in township seventy north, of range fourteen west, and whereas on the 21st day of April 1885 there was filed in the office of the clerk of the circuit court of Davis county, Iowa a copy of the aforesaid will and of the original record of the probate thereof, together with a copy of the original record of the appointment, qualification and of the bond given of such executors and trustees, of said foreign court, all duly authenticated as required by the statutes of Iowa, in such cases made and provided, and whereas said will was duly admitted to probate by the circuit court aforesaid at the April term 1885 thereof, and on the fifth day of August 1885 said Parsons sole surviving executor and trustee of the aforesaid will and estate, sold and by <sup>Real estate</sup> <sup>Bond of executors.</sup> proper deed conveyed to J. D. Trebilcock of Davis county, Iowa, the real estate above described, which said deed was filed for record in the office of the recorder of deeds of Davis <sup>Sale of prop-  
erty.</sup> county, Iowa, on March 11th, 1886 and recorded in "Book Record. No. 31 of Deeds, on page 436" of said office, and whereas it

has since been learned that the clerk of the aforesaid circuit court failed and neglected to record on the records of his office that portion of said transcript of the aforesaid records so filed in his office on April 21st, 1885, required by section 2352 of the Code of Iowa, as amended by chapter 162 of the Laws of the 18th General Assembly of the state of Iowa, Therefore

*Be it enacted by the General Assembly of the State of Iowa:*

**Acts legalized** SECTION 1. That the sale of the north west quarter of the north west quarter of section number thirteen (13) in township number seventy (70) north, of range number fourteen (14) west in Davis county, Iowa by Charles Parsons executor and trustee of the last will of William M. McPherson, deceased, late of St. Louis, Missouri, to J. D. Trebilcock, and the deed of conveyance of said real estate by said executor and trustee to said Trebilcock, dated August 5th, 1885 and recorded in Book No. 31, at page 436, of records of deeds in Davis county, Iowa, be and the same are hereby declared valid, legal and of full legal force and effect, in law and equity from the date of said deed, as fully as if all the requirements of the statutes of this State, in relation to such sales and conveyances, had been in every respect complied with, for more than three months immediately prior to the date of said deed, regardless of any provision of the statutes of this State to the contrary: *Provided*, that the provisions of this Act shall in no manner affect adverse rights vested at the date of said deed.

**Proviso.** **Publication.** SEC. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and Iowa State Leader, newspapers published at Des Moines, Iowa, without expense to the State.

Approved April 17th, 1890.

I hereby certify that the foregoing act was published in the *Des Moines Leader* April 24, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 114.

## LEGALIZE ACTS N. S. PAULL.

AN ACT to legalize the official acts of N. S. Paull as acting Deputy <sup>s. f. 300.</sup> Recorder of Worth County Iowa.

WHEREAS, On the first day of March 1890 Ellen Scott was appointed the duly elected and qualified Recorder of Worth County Iowa and on that day she in writing appointed Mrs. N. S. Paull Deputy Recorder of said county and whereas said appointment was not approved by the Board of Supervisors of said County until their April session 1890

WHEREAS—On the 3d day of March 1890 said Ellen Scott <sup>Resignation.</sup> filed with the County Auditor of said County her written resignation of the office of Recorder of said county to take effect when her successor was appointed and qualified.

WHEREAS, On the 7th day of March 1890 said Ellen Scott <sup>Vacancy.</sup> removed permanently from said Worth County Iowa thereby creating a vacancy in said office of Recorder.

WHEREAS, On account of the serious illness of two members <sup>Action of Board pre-</sup> of the Board of Supervisors it was not practicable to hold a <sup>vented.</sup> special session of said Board to fill the vacancy in the office of said Recorder of Worth County.

WHEREAS—The said N. S. Paull continued to act as Deputy <sup>Action of Deputy.</sup> Recorder of Worth County after the vacancy occurred and until the office of Recorder was filled by appointment at the April 1890 session of the Board of Supervisors of said County.

WHEREAS—Vast private interests are involved which may <sup>Interests involved.</sup> result in great loss to divers and sundry persons unless said acts are legalized Therefore,

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the official acts of the said N. S. Paull as <sup>Acts legal- ized.</sup> acting Deputy Recorder of Worth County Iowa from and including March 1st A. D. 1890 to the present time are hereby legalized and made valid as if her appointment had been duly approved and no vacancy had occurred in said office of Recorder of Worth County Iowa.

Sec. 2. This act being deemed of immediate importance <sup>Publication</sup> shall take effect and be in force from and after its publication in the Iowa State Register and Worth County Index without expense to the State.

Approved April 15th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 18 and *Worth County Index* April 24 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 115.

## LEGALIZE ACTS CLERK OF COURTS—PLYMOUTH COUNTY.

H. F. 30. AN ACT to legalize the acts of the clerks of the district and circuit courts of Plymouth County, in entering judgments on confession in said court.

Defective records. WHEREAS it has been the practice of the Clerks of the District and Circuit Courts in and for the County of Plymouth since the year 1880 in entering Judgments on confession in said Courts, to record in the record books of said courts the statement for confession of Judgment only, and enter the same on the Judgment dockets and the index books of said courts without making any Judgment Entry in the record books, as required by law, and

Doubts. WHEREAS doubts have arisen as to the legality of said Judgments and the title to numerous pieces of real-estate in said County by reason of process having been issued and sales made under Judgments so entered, Therefore

*Be it enacted by the General Assembly of the State of Iowa:*

Acts legalized. That all Judgments by Confession entered by the Clerks of the District and Circuit Courts of said County of Plymouth in the manner recited by the preamble to this act are hereby legalized and made as valid and effectual in law, as though the same had been in all respects entered upon the record books of said courts as required by law, and all process which has been issued upon Judgments so entered and all acts and proceedings had thereunder together with all sales made on such process, and the title to all property real or personal resting upon such sales are hereby declared as legal and binding as the same would have been, had such Judgments been properly and legally entered of record, at the time of the filing of such statements for confession.

Publication. SEC. 2. This act being deemed of immediate importance, shall take effect from and after the date of its publication in the Des Moines Leader and The Le Mars Globe, newspapers published at Des Moines, and Le Mars, Iowa.

Approved April 15th, 1890.

I hereby certify that the foregoing act was published in the *Des Moines Leader* and *Le Mars Globe* April 18, 1890.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 116.

## LEGALIZE ACT OF L. L. LANGWORTHY.

AN ACT to legalize the acts of L. L. Langworthy justice of the H. F. 304. peace in and for Massina Township, Cass County, Iowa.

WHEREAS, L. L. Langworthy was duly elected qualified and Successor acted Justice of the Peace in and for Massina Township Cass failed to qualify. County Iowa, for two consecutive terms, and whereas his successor failed to qualify, the said L. L. Langworthy held over without the renewal of his bond for the year of 1889, and

WHEREAS, doubts have arisen in respect to the legality of such acts, therefore,

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION. 1. That all the official acts of the said L. L. Langworthy acting Justice of the Peace in and for Massina Township Cass County, Iowa, be and the same are hereby declared to be valid and legal, to the same extent as if said officer had renewed his bond.

Sec. 2. This act shall take effect from and after its publication in the Iowa State Register a newspaper published at Des Moines, Iowa, and the Atlantic Telegraph, a newspaper published at Atlantic Iowa, without expense to the state.

Approved April 11th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 18 and *Atlantic Telegraph* May 20 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 117.

## LEGALIZE ACTS GEO. C. ANDERSON.

AN ACT to legalize the acts of Geo. C. Anderson, a justice of the H. F. 165. peace in and for Otter Creek Township Linn Co. Iowa.

Whereas, Geo. C. Anderson, was duly elected on the 5th day of November A. D. 1889, to the office of Justice of the Peace, in and for Otter Creek Township Linn County, Iowa, to fill a vacancy and

Whereas, on the 15th day of November A. D. 1889, said Geo. C. Anderson executed a bond and qualified according to

law; and on the 16th day of November A. D. 1889 this bond was duly filed with the Auditor of Linn Co, Iowa and on the same day was accepted; and

**Approval.** Whereas, said bond was approved by the board of Supervisors of Linn Co. Iowa at their regular meeting in January A. D. 1890 and recorded as the law requires; and

**Prior acts.** Whereas, the said Geo. C. Anderson performed certain official acts prior to the formal approval of said bond, the legality of which acts are questioned; therefore,

*Be it enacted by the General Assembly of the State of Iowa:*

**Legalized.** That the official acts of said Geo. C. Anderson, Justice of the Peace aforesaid, performed and done prior to the approval of said bond, are hereby legalized and made valid as if performed subsequent to the approval of said bond.

Approved April 5th 1890.

## CHAPTER 118.

### LEGALIZING ORGANIZATION OF INDEPENDENT SCHOOL DISTRICT OF RED ROCK.

**H. F. 467.** AN ACT to amend chapter 97 of the Eighteenth General Assembly entitled an act to legalize the organization of the Independent School District of Red Rock, Red Rock Township, Marion County; Iowa, and to establish the boundaries thereof;

**Territory incorporated by Chap. 97. 18 G. A.** WHEREAS, By the provision of chapter 97 acts of 18th General Assembly there was incorporated into the Independent District of Red Rock parts of Sections 35, & 36 in Twp. 77, N R, 20 West, and the N. half of Sec. 2, Twp 76, R, 20, West, which were at the time a part of the District Township of Union in Said County, and said District Township never having consented thereto, and,

**District separated by river.** WHEREAS, The Des Moines River cuts off and separates all of said parts of said section from the balance of Said Independent District, and from the school house of said District, so that the school children residing on said parts of said sections cannot attend school in the said Independent District of Red Rock; Therefore,

*Be it enacted by the General Assembly of the State of Iowa:*

**Boundaries established.** SECTION 1. That all of said act, Chapter 97 of the Eighteenth General Assembly as incorporated into the Independent District of Red Rock that part of Sec. 35 and 36 in Twp 77 N R, 20 West of the 5th P. M., as lays south and

west of the Des Moines River and the N. half of Sec. 2, Twp 76 R. 20, West be and the same is hereby repealed and said parts of said section on the south & west side of the Des Moines River be and the same is hereby restored to the District Township of Union, and made a part thereof.

Approved April 17th 1890.

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## CHAPTER 119.

### LEGALIZE RE-INCORPORATION FIRST CONGREGATIONAL CHURCH— TOLEDO.

AN ACT to legalize the reincorporation of the First Congregational H. F 431. Church in Toledo, Tama County, Iowa.

Whereas—The first Congregational Church of Toledo in <sup>Original</sup> <sub>Incorpora-</sub> Tama County, Iowa, Was incorporated on July 12th 1856 to <sub>tion.</sub> continue for Twenty years, and

Whereas—said Church was not reincorporated within the said <sup>Not renewed</sup> <sub>at proper</sub> term of Twenty years, but was reincorporated on December <sub>time.</sub> 14th, 1877, and,

Whereas—Doubts exist as to whether such reincorporation <sup>Doubts.</sup> is legal, not having been effected before the expiration of the former incorporation, Therefore,

*Be it enacted by the General Assembly of the State of Iowa:*

Sec. 1. The said First Congregational Church of Toledo, Tama County Iowa, is hereby declared to be Incorporated and the acts of said society in reincorporating, and hereby legalized and said reincorporation of said Church on December 14th 1877, is hereby declared to be legal and to be as effectual as though the same had been made within the term of Twenty years from its original organization.

<sub>Reincorpora-</sub>  
<sub>tion legalized.</sub>

Approved April 23, 1890.

## CHAPTER 120.

## LEGALIZE INCORPORATION OF DEEP RIVER ALLIANCE.

S. F. 306. AN ACT to legalize the incorporation, of the "Deep River Farmers Alliance Stock Company" at Deep River, Poweshiek County, Iowa, the election of its officers and all acts done by it.

Articles not  
filed with  
Sec'y State  
within time  
required.

WHEREAS, "The Deep River Farmers Alliance Stock Company" at Deep River, Iowa organized and was incorporated April 9th, 1889 and filed articles with the Recorder of Deeds of Poweshiek County, Iowa on April 9th, 1889, and then commenced to transact business as such: and whereas on the 11th, day of May 1889, the parties composing said corporation, again organized by adopting new articles of incorporation, and said new articles of incorporation were duly recorded in the office of the Recorder of Deeds of Poweshiek County, Iowa on the 18th, day of July 1889, but said articles were not recorded in the office of the Secretary of State until the 27th day of December 1889.

And whereas said "Deep River Farmers Alliance Stock Company" did not publish notice as required by law until in March 1890.

Acts  
involved.

And whereas said incorporation elected its officers, acquired, held and sold property, and done other acts from and after April 9th, 1889 and up to the present time: therefore,

*Be it enacted by the General Assembly of the State of Iowa:*

Incorpora-  
tion legalized.

SECTION 1. That the incorporation of the said "Deep River Farmers Alliance Stock Company" at Deep River, Poweshiek County, Iowa, the election of its officers, and all acts done by it from and after its inception to the present time, not in controvension of the laws of Iowa, if a legal organization had been made, are hereby legalized, and declared to be valid and binding, the same as though the law had been strictly in all respects complied with in the incorporation of said company, the election of its officers and all other official acts done by it or its officers.

Approved April 17th, 1890.

## CHAPTER 121.

## LEGALIZE ORGANIZATION DES MOINES CONFERENCE EVANGELICAL ASSOCIATION.

AN ACT to legalize the organization of the Des Moines Conference H. F. 302. of the Evangelical Association, of Iowa.

WHEREAS, The Des Moines Conference of the Evangelical Association, in the State of Iowa, was organized on the thirteenth day of April A. D. 1876, and

WHEREAS, Said Des Moines Conference, through the oversight of a committee appointed thereto, failed to adopt and record articles of incorporation as required by law, until twenty seventh day of March A. D. 1889, and,

WHEREAS, Anterior to that time said organization entered into contracts and acquired and conveyed real estate, which transfers, contracts and conveyances are of doubtful validity; therefore,

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the said Des Moines Conference of the Evangelical Association, be and the same is hereby declared a body corporate organized and created as of April thirteenth A. D. 1876, and all contracts and conveyances made by said conference, though its Board of Trustees, and all conveyances gifts or devises made thereto, or to any person or persons for its use, are hereby legalized and declared to be binding to the same extent as though said conference had been fully and legally incorporated on the thirteenth day of April A. D. 1876.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Des Moines Leader and the Iowa Capital, Newspapers of Des Moines Iowa, without expense to the state.

Approved April 11th, 1890.

I hereby certify that the foregoing act was published in the *Iowa Capital* April 18 and *Des Moines Leader* April 19 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 122.

## LEGALIZE INCORPORATION OF CERRO GORDO COUNTY AGRICULTURAL SOCIETY.

H. F. 386. AN ACT to legalize the incorporation of "The Cerro Gordo County Agricultural Society," and the acts and proceedings thereof, and to provide for and authorize the recording of a copy of the Articles of Incorporation of said society, in the office of the County Recorder of Cerro Gordo county, and the filing of said copy in the office of the Secretary of State.

Organization. WHEREAS on April 13th 1872, G. W. Henderson, C. E. Crane B. A. Bryant, and nineteen other persons all residents and citizens of Cerro Gordo County Iowa, associated themselves together and organized, as an Incorporated Society, under the name of The Cerro Gordo County Agricultural Society, For the purpose of promoting Agriculture and the other usual purposes of such societies, as provided by the laws of the State of Iowa, and signed and acknowledged Articles of Incorporation of such Society—and

Business transacted. WHEREAS—Under said Articles of Incorporation the said Cerro Gordo County Agricultural Society, composed of said persons, elected regular officers, adopted Bye Laws—and said persons and their successors continuing said organization and incorporation, have ever since acted and are now acting as such Incorporated Society under the said name as aforesaid—and

Conveyance of land. WHEREAS, Said Society has heretofore conveyed land, and received conveyances of land, and now holds in the name of said Society certain lands in said Cerro Gordo County Iowa—To wit: The N.W.  $\frac{1}{4}$  S.W.  $\frac{1}{4}$  Sec 4—Twp. 96—Range 20—and said Society has executed Mortgages thereon, and made contracts in relation thereto—and

Articles not recorded. WHEREAS—The Original Articles of Incorporation of said Society were never filed in the office of the County Recorder of Cerro Gordo County, or in the office of the Secretary of State, and the Certificate of acknowledgment of said articles was not in compliance with the forms required by law in cases of conveyances of Real Estate, and by reason thereof doubts exist as to the legality of the existence and acts of said society, and

Copy of articles. WHEREAS—The said Original Articles of Incorporation have been lost—but a complete record of the same was made in the books of the said society and is preserved in said books—and the members of said society desire that a copy of the record of said Articles of Incorporation, as contained in the books aforesaid, may be filed and recorded in the office of the

County Recorder and filed in the office of the Secretary of State, therefore,

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the organization of said "The Cerro Gordo County Agricultural Society" — and all its acts, and all conveyances, and mortgages of land and contracts in relation thereto, made by said society, and conveyances of land made to it in its name, and the titles to all lands conveyed to it and held in its name, now or heretofore, are hereby legalized and declared good valid and binding to all intents and purposes, and in all respects as they could have been if said articles of Incorporation had been properly acknowledged and filed and recorded in the office of the County Recorder, and filed in the office of the Secretary of State, and as if the law in relation thereto had been strictly complied with.

SEC. 2. That said Society may and is hereby authorized to have, a Copy of its Articles of Incorporation, as the same now appear of record in its books, certified by its President and Secretary, filed and recorded in the office of the County Recorder of Cerro Gordo County—and that on such filing and recording said copy may be filed in the Office of the Secretary of State, and when so recorded and filed as aforesaid, said Copy and record thereof shall have all the force, virtue and effect, from the time of the incorporation of Said Society, as if the law in relation to such incorporation, and its Articles, and the filing and recording thereof, had been in all respects fully complied with.

SEC. 3. This act being deemed of immediate importance <sup>Publication.</sup> shall be in force and effect from and after its publication in the Express Republican a newspaper published at Mason City Iowa, and in the Iowa State Register, a newspaper published at Des Moines Iowa—without expense to the State.

Approved April 12 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 22 and the *Express Republican* April 24 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 123:

## LEGALIZE ACTS OF INDEPENDENT SCHOOL DISTRICT OF FREMONT MA-HASKA COUNTY.

S. F. 330. AN ACT to Legalize the acts of the Independent School District of Fremont, Mahaska County, Iowa, relating to voting bonds for the purpose of building a school house.

*Election as to issue of bonds* WHEREAS, a majority of the legal voters of the Independent School District of Fremont, Mahaska County, Iowa, at the regular annual meeting of said Independent School District on the tenth day of March, 1890 voted for a proposition to issue bonds of said District in the amount of Four thousand Dollars (\$4,000) for the purpose of erecting a public school building in said Independent District, there being at said election fifty-one votes cast in favor of the proposition and forty-five against,

*Doubts as to legality of notice.* And, Whereas, notice was regularly given that said proposition would be voted upon at said time, and whereas, some doubts have arisen as to the legality of said notice and said proceedings, therefore,

*Be it enacted by the General Assembly of the State of Iowa:*

*Election legalized.* SECTION 1. That the said proceedings and election and vote upon said proposition in the manner recited by the preamble to this act, are hereby legalized and made as valid and effectual in law as if done in strict compliance with the law.

*Publication.* SEC. 2. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register, and Oskaloosa Herald without expense to the State.

Approved March 28, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Oskaloosa Herald* March 31, 1890.

FRANK D. JACKSON, *Secretary of State.*

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## PART IV.

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### PRIVATE, LOCAL AND TEMPORARY.

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## CHAPTER 124.

## I. AND R. P. RAILWAY TO PASS OVER STATE GROUNDS.

AN ACT to permit the "Independence and Rush Park Railway Company" to pass over the grounds of the State used for the Hospital for the Insane at Independence, Iowa. H. F. 265.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That permission is hereby given to the Independence and Rush Park Railway Company to build and construct a line of railway across and over the grounds of the State of Iowa, which are used for the Hospital for the Insane at Independence Iowa. "Provided, that in case said railway, when the same shall have been constructed over the grounds of the State as herein provided, shall cease to be operated or used over said grounds for more than two years, all rights and privileges the said railway over and upon said grounds shall thereupon cease and terminate." Permit to pass over the Hospital grounds.

SEC. 2. That said Independence and Rush Park Railway Company, shall build and construct the said line of railway, over such part of said grounds, as the trustees of said Hospital for the Insane at Independence may direct, provided however, that such trustees shall permit the line to run to the main building of the hospital. "Provided, that the said trustees are hereby authorized to prescribe such reasonable rules and regulations, with reference to the operation of said railway over said line within said grounds, as they may find proper and necessary." Under direction of Hospital trustees.

SEC. 3. That said railway company shall operate the road, so permitted to be constructed, only by animal or electric power and shall not connect with any other line of road nor permit any other power to be used in the operation of such road. Power to be used.

Approved May 1st, 1890.

## CHAPTER 125.

## RIGHTS OF THE STATE AGRICULTURAL SOCIETY.

H. F. 514. AN ACT to define the rights in certain cases of the State Agricultural Society.

The State Fair  
grounds to be  
exempt.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. The provisions of Chapter One Laws of the Twenty third General Assembly. Shall not be construed as authorizing or empowering the City so extending thereunder its Territory or corporate limits to enforce upon the Grounds owned by the State and occupied by the Iowa State Agricultural Society Ordinances or resolutions that will impair or conflict with the right and power of said Society to exercise within and over said Grounds and during the Exhibition and Fairs of said society the same management and control that said Society was authorized to exercise previous to the enactment of said Chapter One.

Approved May 1st, 1890.

## CHAPTER 126.

## COLUMBIAN EXPOSITION.

S. F. 33. AN ACT to provide for a creditable exhibit of the Resources of the State of Iowa, in the "Columbian Exposition" or World's Fair, to be held in Chicago.

Bill before  
congress.

Iowa's Ex-  
hibit.

Exhibition  
Committee  
to be ap-  
pointed.

WHEREAS, Congress is now considering, and the House of Representatives has already passed, a bill, providing for a World's Fair, to be known as the "Columbian Exposition," and held at Chicago during the year 1892 or 1893; and

WHEREAS, It is highly desirable that the agricultural, mineral, mechanical, industrial, educational and other resources and advantages of the State of Iowa shall be creditably represented in such exposition, therefore,

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the Executive Council be and is hereby authorized and directed to appoint an exhibition committee to be known as the "Iowa Columbian Commission." Such commission shall consist of eleven members, to

be selected one from each congressional district in the state not more than six of whom shall be from the same political party and shall have full power to devise and execute plans for the state exhibit herein contemplated, take charge of the same, and disburse the appropriations. It may appoint such officers as its judgment may be necessary for the carrying out the purposes of this act, including the right to delegate to an Executive Committee the duty and power to execute all or any plans that may be devised or ordered by such Commission. One member thereof shall be chosen to act as Treasurer, and he shall be (ex-officio) custodian of the moneys herein appropriated; but before entering upon the duties of such position he shall furnish a bond, subject to the approval of the Executive Council, and running to the state of Iowa in the penal sum equaling herein appropriated. If the said "Columbian Exposition" is held during the year 1892 the Commission created by this section shall be appointed at some time prior to January 1st 1891; and if held in 1893 then it may be appointed at any time before January 1st 1892. Any vacancy occurring in said Commission shall be filled by the Executive Council by the choice of some citizen residing in the congressional district wherein such vacancy occurs. The Commission herein created shall receive as compensation for the service of its members not to exceed five dollars, for each day actually and necessarily engaged in the work of the Commission, and actual railroad fare paid.

Officers may be appointed.

Treasurer.

Bond.

Time for appointment.

Compensation.

Sec. 2. The sum of Fifty Thousand Dollars is hereby appropriated out of any money in the State Treasury not otherwise appropriated, for the purpose of carrying into execution the intent of this act; Provided that, if said Fair or Exposition be not held before 1893, not more than ten per cent of the sum hereinbefore named shall be drawn from the State Treasury before the convening of the 24th General Assembly; and the remainder shall be covered back into the Treasury, and the subject of further appropriation shall be referred to the said 24th General Assembly; but no part of any such appropriation shall be drawn from the State Treasury until the Commission through its duly chosen officers, shall certify to the Auditor of State that the same is actually necessary for disbursement, and shall then be drawn only in portions, not exceeding one-fourth the amount appropriated, as may from time to time become requisite. All payments of money by the treasurer must be upon complete vouchers and under conditions to be fixed by said commission. At the close of its services the commission shall make to the Governor a statement of its proceedings, which shall include a list of all disbursements, with complete vouchers therefor attached. Provided further no appointments under this act shall be made nor shall any

\$50,000 appropriated.

Manner of drawing the money.

Condition for payment.

Expenses restricted.

money herein appropriated be drawn or any charge or expense made until it is definitely known when the exposition is to be held. Provided further that said commission shall be restricted in expenditures to the sum herein appropriated.

Approved April 15th, 1890.

## CHAPTER 127.

### CONSTITUTIONAL CONVENTION.

S. F. 15.

AN ACT providing for the submission of the question of calling a Constitutional Convention to the qualified electors of the State as provided by section three article ten of the Constitution of the State.

*Be it enacted by the General Assembly of the State of Iowa:*

Election proclamation of 1890.

SECTION 1. That when the Governor of the State issues his proclamation for the election of State officers—at the general election A. D. 1890—he shall also at said time in said proclamation give notice to the qualified electors of the state of the submission at said election of the question—“Shall there be a convention to revise the Constitution and amend the same”

Question submitted at general election.

SEC 2. At the general election A. D. 1890—the question specified in Section one (1) of this act—shall be determined by the electors of the State qualified to vote for members of the General Assembly—the question aforesaid shall be written or printed on each ballot—and at the end of said question the word “Yes” or “No” Shall be written or printed—on such ballot. And all such ballots, having the word yes thereon after said question shall be counted and canvassed in favor of the proposition so submitted and all such ballots having thereon the word no after said question shall be counted and canvassed as against the proposition.

Ballots canvassed and counted.

SEC. 3. The ballots cast for and against the question of calling a convention in the manner aforesaid shall be counted canvassed and returned in all respects in the manner that the ballots for state officers other than Governor and Lieutenant Governor are counted canvassed and returned—except that the result shall be certified in duplicate by the State Board of Canvassers—One certificate being deposited in the office of the Secretary of State and the other in the office of the Governor.

Result of election.

SEC. 4. In case said proposition shall be adopted by a majority of the electors voting on the question—voting in the affirmative—it shall be the Governor to report such result to the General Assembly at its next session.

Approved April 17th, 1890.

## CHAPTER 128.

## GRANT BY IOWA CITY TO THE STATE.

AN ACT to accept and legalize the grant to the State of Iowa made by S. F. 344. the city of Iowa City, of certain rights and privileges in a public park and street in said city as indicated by an ordinance of said city, passed March 7, 1890.

Whereas, the City of Iowa City has passed and ordained the following ordinance, to wit:

An Ordinance Granting the use of the Public Park of Iowa City, and Vacating and Granting Linn Street Between Jefferson Street and Iowa Avenue to the State of Iowa for the use of the Iowa State University; Certain land vacated.

SECTION 1. Be it ordained by the city council of the city of Iowa City that the use of the public park of Iowa City, said park being located between Dubuque and Linn streets, and between Iowa Avenue and Jefferson street is hereby granted to the state of Iowa for the use of the Iowa State University, said park to be used by the state of Iowa for the purpose of erecting there on additional buildings to be used by the Iowa State University.

Sec. 2. All that part of Linn street located between Iowa Avenue and Jefferson street is hereby vacated, and the use of the same granted to the state of Iowa for the use of the Iowa State University, the said street so vacated to be used in connection with the park hereinbefore granted. Ground vacated.

Sec. 3. The city of Iowa City to retain the proprietorship, control, and preservation of the park and street named in said grant for the free use of the public until such time as the state of Iowa shall need the same for the erection of suitable buildings thereon said building to be used exclusively by the State University of Iowa for educational purposes. The city to retain control

Sec. 4. Should the state after occupying said premises, fail to use said property for the purposes herein designated and specified, then the grant herein made to be void, and said property to revert to Iowa City for the use of the public. Failure to use the property as intended.

Passed March 7th, 1890.  
W. J. HOLTZ, city clerk.

C. M. RENO, Mayor.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the action of said City of Iowa City in Acts of coun- passing said ordinance, be and the same is hereby cl to be legalized. legalized and confirmed, and the same made effectual and valid.

Grant accepted.

SEC. 2. That the grant in said ordinance made to the State of Iowa, of the use and benefit of the public park and street in said ordinance described, be and the same is hereby accepted by the State of Iowa, subject to the terms and conditions in said ordinance mentioned, and for the use and benefit of the State University of Iowa.

Approved April 12th, 1890.

## CHAPTER 129.

### SOLDIER'S MEMORIAL.

S. F. 415.

**AN ACT** in reference to the erection of a State Soldier's Monument, Arch, Memorial Hall or Hall and Monument combined.

*Be it enacted by the General Assembly of the State of Iowa:*

Part of section 2, chapter 136, acts 22d General Assembly re-enacted.

Additions to Board.

Vacancies, how filled.

Additional duties of Board.

Plans and bids.

SECTION 1. So much of section 2 of chapter 136 of the laws of the twenty-second General Assembly as created and appointed an Iowa Soldiers' and Sailors' Monument commission, is hereby reenacted and continued in force. The commissioners named in said section 2 are continued in office, and Hon. E. Townsend and L. E. Mitchell are added thereto. They shall constitute and be known as the "Board of Commissioners of the Iowa Soldiers' and Sailors' Monument." Any vacancies occurring in said board shall be filled by appointment to be made by the Governor from nominations to be made by the remaining commissioners. But every person so appointed shall be selected from the same political party to which his predecessor belonged. The Governor shall be ex-officio President of said board.

SEC. 2. In addition to the duties named in said section 2 chapter 136, of the laws of the 22nd General Assembly, said commission is hereby requested and directed to consider and report to the 24th General Assembly their views as to whether a Monument, a Memorial Arch, a Memorial Hall or a Memorial Hall and Monument combined, will best express on the part of the people of the State of Iowa, their appreciation of the patriotism, courage, and distinguished soldierly bearing of their fellow citizens, in the War of the Rebellion. And if, in the judgment of said Board of Commissions, it shall be desirable to do so, they are hereby given authority to advertise for, procure and examine plans for either or any of these forms of expression, as aforesaid and report the same to the next General Assembly.

SEC. 3. For the purpose of carrying out the intent of this \$5,000 appropriated act the sum of five thousand dollars is hereby appropriated, or so much thereof as shall be necessary, to be expenses under the direction of the Executive Council; and such compensation <sup>How ex-</sup> for services shall be allowed to the members of such Board of Commissioners as the Executive Council may decide, such payment to be from the amount herein appropriated.

SEC. 4. That of the moneys which may come into the State Treasury in pursuance of an Act of Congress refunding to the State the amount paid to the General Government under the direct tax act approved August 5, 1861, so much as may remain after these shall have been paid therefrom the amount due and payable under the Constitution of this State, from the general government fund of the State to the School fund of the State, as contemplated by the provisions of section 1 of chapter 194, of Laws of the Twenty Second General Assembly, shall be held by said Treasurer to await the action of the Twenty Fourth General Assembly in the matter of the erection of said Monument or Memorial Structure.

Approved April 24th, 1890.

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## CHAPTER 130.

### ONE-HALF MILL TAX LEVY.

AN ACT to provide for the levy of one half ( $\frac{1}{2}$ ) mill state tax for the S. F. 418. year 1890 for the purpose of properly meeting the necessary requirements of the several state institutions and for other purposes.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That for the purpose of properly meeting the necessary requirements of the several state institutions, and to aid in paying any appropriations that may be made therefor. The Board of Supervisors of each county shall at their September session in the year 1890 levy one half ( $\frac{1}{2}$ ) mill state tax, in addition to the tax directed to be levied by the Executive Council and said tax shall be collected and remitted to the state treasury in the same manner as other state taxes.

Approved April 17th, 1890

## CHAPTER 131.

## REPRESENTATIVE DISTRICTS.

H. F. 463. AN ACT to Apportion the State into representative Districts and declaring the ratio of the representation.

*Be it enacted by the General Assembly of the State of Iowa:*

**Ratio of representation.** SECTION 1. That one representative from every eighteen thousand five hundred inhabitants is hereby constituted the ratio of apportionment and that each representative district shall be as hereinafter described.

1, Lee. SEC. 2. Lee county shall be the first district and entitled to two representatives, 34,024.

2, Van Buren. SEC. 3. Van Buren county shall be the second district and entitled to one representative—16,170.

3, Davis. SEC. 4. Davis county shall be the third district and entitled to one representative—15,183.

4, Appanoose. SEC. 5. Appanoose county shall be the fourth district and entitled to one representative—16,941.

5, Wayne. SEC. 6. Wayne county shall be the fifth district and entitled to one representative—15,494.

6, Decatur. SEC. 7. Decatur county shall be the sixth district and entitled to one representative—15,083.

7, Ringgold. SEC. 8. Ringgold county shall be the seventh district and entitled to one representative—12,730.

8, Taylor. SEC. 9. Taylor county shall be the eighth district and entitled to one representative—15,973.

9, Page. SEC. 10. Page county shall be the ninth district and entitled to one representative—20,938.

10, Fremont. SEC. 11. Fremont county shall be the 10th district and entitled to one representative—15,921.

11, Mills. SEC. 12. Mills county shall be the eleventh district and entitled to one representative—13,727.

12, Mont-  
gomery. SEC. 13. Montgomery county shall be the twelfth district and entitled to one representative, 15,901.

13, Adams. SEC. 14. Adams county shall be the 13th district and entitled to one representative—12,146.

14, Union. SEC. 15. Union county shall be the fourteenth district and entitled to one representative—16,502.

15, Clarke. SEC. 16. Clarke county shall be the fifteenth district and entitled to one representative—11,369.

16, Lucas. SEC. 17. Lucas county shall be the sixteenth district and entitled to one representative—14,791.

17, Monroe. SEC. 18. Monroe county shall be the seventeenth district and entitled to one representative—12,324.

SEC. 19. Wapello county shall be the eighteenth district <sup>18</sup>, Wapello. and entitled to one representative—25,803.

SEC. 20. Jefferson county shall be the nineteenth district <sup>19</sup>, Jefferson. and entitled to one representative—15,995.

SEC. 21. Henry county shall be the 20th district and entitled <sup>20</sup>, Henry. to one representative—17,862.

SEC. 22. Des Moines County shall be the 21st district and <sup>21</sup>, Des Moines entitled to two representatives 35,738.

SEC. 23. Louisa County shall be the 22nd District and <sup>22</sup>, Lucas. entitled to one representative—11,923.

SEC. 24. Washington county shall be the 23rd District and <sup>23</sup>, Washington. entitled to one representative—18,504.

SEC. 25. Keokuk county shall be the 24th district and <sup>24</sup>, Keokuk. entitled to one representative—23,318.

SEC. 26. Mahaska county shall be the 25th district and <sup>25</sup>, Mahaska. entitled to one representative—27,131.

SEC. 27. Marion county shall be the 26th district and <sup>26</sup>, Marion. entitled to one representative—28,419.

SEC. 28. Warren County shall be the 27th district and <sup>27</sup>, Warren. entitled to one representative—17,868.

SEC. 29. Madison County shall be the 28th district and <sup>28</sup>, Madison. entitled to one representative—16,240.

SEC. 30. Adair County shall be the 29th district and entitled <sup>29</sup>, Adair. to one representative—14,102.

SEC. 31. Cass county shall be the 30th district and entitled <sup>30</sup>, Cass. to one representative—18,019.

SEC. 32. Pottawattamie county shall be the 31st district and <sup>31</sup>, Pottawattamie. and entitled to two representatives—45,866.

SEC. 33. Harrison county shall be the 32nd district and <sup>32</sup>, Harrison. entitled to one representative—20,560.

SEC. 34. Shelby county shall be the 33rd district and <sup>33</sup>, Shelby. entitled to one representative—16,306.

SEC. 35. Audubon county shall be the 34th district and <sup>34</sup>, Audubon. entitled to one representative—10,825.

SEC. 36. Guthrie county shall be the 35th district and <sup>35</sup>, Guthrie. entitled to one representative—16,439.

SEC. 37. Dallas county shall be the 36th district and <sup>36</sup>, Dallas. entitled to one representative—20,050.

SEC. 38. Polk county shall be the 37th district and entitled <sup>37</sup>, Polk. to two representatives—51,907.

SEC. 39. Jasper county shall be the 38th district and <sup>38</sup>, Jasper entitled to one representative—25,247.

SEC. 40. Poweshiek county shall be the 39th district and <sup>39</sup>, Poweshiek. entitled to one representative—18,203.

SEC. 41. Iowa county shall be the 40th district and entitled <sup>40</sup>, Iowa. to one representative—18,190.

SEC. 42. Johnson county shall be the 41st district and <sup>41</sup>, Johnson. entitled to one Representative—23,046.

42 Muscatine. SEC. 43. Muscatine county shall be the 42nd district and entitled to one representative—24,320.

43 Scott. SEC. 44. Scott county shall be the 43rd district and entitled to two representatives—41,956.

44 Cedar. SEC. 45. Cedar county shall be the 44th district and entitled to one representative—17,832.

45 Clinton. SEC. 46. Clinton county shall be the 45th district and entitled to two representatives—38,661.

46 Jackson. SEC. 47. Jackson county shall be the 46th district and entitled to one representative—22,839.

47 Jones. SEC. 48. Jones county shall be the 47th district and entitled to one representative—19,654

48 Linn. SEC. 49. Linn county shall be the 48th district and entitled to two representatives—40,720.

49 Benton. SEC. 50. Benton county shall be the 49th district and entitled to one representative, 23,902.

50 Tama. SEC. 51. Tama county shall be the 50th district and entitled to one representative—21,622.

51 Marshall. SEC. 52. Marshall county shall be the 51st district and entitled to one representative—25,036.

52 Story. SEC. 53. Story county shall be the 52nd district and entitled to one representative—17,527.

53 Boone. SEC. 54. Boone county shall be the 53rd district and entitled to one representative—24,972.

54 Greene. SEC. 55. Greene county shall be the 54th district and entitled to one representative—15,928.

55 Carroll. SEC. 56. Carroll County shall be the 55th district and entitled to one representative—16,329.

56 Crawford. SEC. 57. Crawford county shall be the 56th district and entitled to one representative—16,131.

57 Monona. SEC. 58. Monona county and Ida County shall be the 57th district and be entitled to one representative—21,190.

58 Woodbury. SEC. 59. Woodbury county shall be the 58th district and entitled to two representatives—32,289.

59 Cherokee. SEC. 60. Cherokee county shall be the 59th district and entitled to one representative—12,584.

60 Sac. SEC. 61. Sac county shall be the 60th district and entitled to one representative—12,741.

61 Calhoun. SEC. 62. Calhoun county shall be the 61st district and entitled to one representative—9,836.

62 Webster. SEC. 63. Webster county shall be the 62nd district and entitled to one representative—19,987.

63 Hamilton. SEC. 64. Hamilton county shall be the 63rd district and entitled to one representative—14,075.

64 Hardin. SEC. 65. Hardin county shall be the 64th district and entitled to one representative—18,526.

65 Grundy. SEC. 66. Grundy county shall be the 65th district and entitled to one representative—12,304.

Sec. 67. Black Hawk county shall be the 66th district and <sup>66</sup> Black Hawk. entitled to one representative—23,860.

Sec. 68. Buchanan county shall be the 67th district and <sup>67</sup> Buchanan. entitled to one representative—17,726.

Sec. 69. Delaware county shall be the 68th district and, <sup>68</sup> Delaware. entitled to one representative—17,436.

Sec. 70. Dubuque county shall be the 69th district and <sup>69</sup> Dubuque. entitled to two representatives—45,496.

Sec. 71. Clayton county shall be the 70th district and <sup>70</sup> Clayton. entitled to one representative—26,853.

Sec. 72. Fayette county shall be the 71st district, and <sup>71</sup> Fayette. entitled to one representative—22,422.

Sec. 73. Bremer county shall be the 72nd district, and <sup>72</sup> Bremer. entitled to one representative,—14,350.

Sec. 74. Butler county shall be the 73rd district and <sup>73</sup> Butler. entitled to one representative—14,523

Sec. 75. Franklin county shall be the 74th district and <sup>74</sup> Franklin. entitled to one representative—11,324

Sec. 76. Wright county shall be the 75th district and <sup>75</sup> Wright. entitled to one representative—9,380.

Sec. 77. Humboldt county and Pocahontas county shall <sup>76</sup> Humboldt. <sup>Pocahontas.</sup> be the 76th district and entitled to one representative—14,217.

Sec. 78. Buena Vista county shall be the 77th district and <sup>77</sup> Buena Vista. entitled to one representative—11,530.

Sec. 79. Plymouth county shall be the 78th district and <sup>78</sup> Plymouth. entitled to one representative—15,481.

Sec. 80. Sioux county shall be the 79th district and enti- <sup>79</sup> Sioux. tled to one representative—11,584.

Sec. 81. Lyon county and O'Brien county shall be the 80th <sup>80</sup> Lyon. district and entitled to one representative—12,396.

Sec. 82. Osceola county and Clay county shall be the <sup>81</sup> Osceola. 81st district, and entitled to one Representatives—10,433.

Sec. 83. Dickinson county and Emmet county and Palo <sup>82</sup> Dickinson. <sup>Palo Alto.</sup> Alto county shall be the 82nd district and entitled to one rep- Emmet. resentative—12,281.

Sec. 84. Kossuth county and Hancock county shall be the <sup>83</sup> Kossuth. Hancock. 83rd district and entitled to one representative—14,426.

Sec. 85. Cerro Gordo county shall be the 84th district and <sup>84</sup> Cerro Gordo entitled to one representative—12,688.

Sec. 86. Floyd county shall be the 85th district and enti- <sup>85</sup> Floyd. tled to one representative—15,362.

Sec. 87. Chickasaw county shall be the 86th district and <sup>86</sup> Chickasaw. entitled to one representative—13,899.

Sec. 88. Allamake[e] county shall be the 87th district and <sup>87</sup> Allamakee. entitled to one representative—18,335.

Sec. 89. Winneshiek county shall be the 88th district, and <sup>88</sup> Winneshiek entitled to one representative—22,680.

Sec. 90. Howard county shall be the 89th district and <sup>89</sup> Howard. entitled to one representative—9,305.

90 Mitchell

Sec. 91. Mitchell county shall be the 90th district and entitled to one representative—12,825.

91 Worth,  
Winnebago.

Sec. 92. Worth county and Winnebago county shall be the 91st district and entitled to one representative—13,836

Approved May 1st, 1890.

## CHAPTER 132.

### REFUNDING MONEY TO HEIRS OF HARRY SCHOFIELD.

S. F. 212.

AN ACT to permit the Board of Supervisors of Marshall County Iowa to refund money with interest to the widow and heirs of Harry Scofield, of Marshall county Iowa.

State vs.  
James Quinn.

WHEREAS in a Liquor Prosecution in Marshall County, State of Iowa—VS—James Quinn. two judgments were rendered Dec 18th 1885. of \$500.00 each upon which Harry Scofield & William Dunn appeared and became sureties between the time of rendering judgment and the attempt at collection, Dunn became a bankrupt leaving Scofield the whole burden of paying the fine under the judgment, and

S sureties.

WHEREAS said Scofield was a poor man who had by industry and economy saved enough to purchase an 80 acre farm, had paid all but \$300 secured by mortgage on the land, to pay this judgment was compelled to again mortgage his little home, an accident befell him by which he lost an eye and ultimately his life, leaving a widow and three small children whose only support was the income from this 80 acre farm so mortgaged, Therefore

Misfortune to  
defendant.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the Board of Supervisors of Marshall County Iowa is hereby authorized to refund to the widow and heirs of one Harry Scofield of Marshall county Iowa the amount of a certain judgment (it being four hundred dollars) and interest from date of payment of judgment until the same has been refunded from any funds raised for ordinary county revenue now or hereafter coming into the hands of the Treasurer of said county

Approved April 11th, 1890.

## CHAPTER 133.

## FREMONT COUNTY CREDIT ON SCHOOL FUND ACCOUNT.

AN ACT to authorize the Auditor, to credit Fremont County on H. F. 470. account of school fund and county fund.

WHEREAS, On the 7th day of March, A. D. 1874, Fremont <sup>Lands sold.</sup> county did, for the use and benefit of the school fund, sell to M. A. Payne and and G. H. Young, lands in section No. 15, township No. 67, range No. 43 west, said lands being indemnity lands taken in lieu of school lands, and

WHEREAS, In June of the said year 1874, the said lands, by <sup>Lands</sup> <sub>washed out</sub> <sup>by river.</sup> reason of encroachment of the Missouri river, were entirely transferred to the state of Nebraska; the said purchasers (Payne and Young) have refused to pay any part of the debt thus incurred, the principal of of which was \$1,303.50, and the interest thereon from the date afore mentioned, to wit, from March 7, 1874, to January 1, 1890, of \$1,393.31, and

WHEREAS, Fremont county has annually reported to the <sup>Interest paid.</sup> state and paid the lawful interest on the \$1,303.50, the same being the amount due on said lands and the amount of said interest being \$1,393.31, not one dollar of which has ever been paid by said purchasers, therefore.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the auditor of state is hereby authorized and directed to cancel the amount of said claim against Fremont county, to-wit: The sum of \$1,303.50, being the amount of unpaid purchase money on said school land and to issue a refund warrant to said county for the sum of thirteen hundred and ninety-three dollars and thirty-one one hundredths (\$1,303.31), the same being the amount of interest erroneously paid by said county into the State treasury.

Approved April 9th, 1890.

## CHAPTER 134.

## TO RELIEVE ANDERSON M. BENGE.

S. F. 404.

**AN ACT** to relieve Anderson M. Benge and others to whom loans of the school fund were made in Madison County, Iowa.

Receipts given and money received by Auditor on school fund.

Whereas, one A. L. Tullis was County Auditor in and for Madison County, Iowa, from the first Monday in January 1881 to the first Monday in January 1885, and as such officer during the time aforesaid in keeping the account of the School Fund, and Securities pertaining thereto, of the State of Iowa, being held and managed by the Board of Supervisors of Madison County, in many instances, where borrowers of said fund desired to pay the principal or interest of the same due or owing to said County, he, said County Auditor, would and did collect, accept and receive the payment of, the same from such borrowers giving receipts therefor as County Auditor instead of giving the borrowers aforesaid, paying the same, a certificate on which to pay said fund to the County Treasurer of said County, and,

Payment made in good faith.

Whereas, in the manner aforesaid many borrowers of said School Fund acting in good faith and relying upon the supposed correct business methods and integrity of said County Auditor paid him divers and sundry sums due or owing to said County of principal, interest or both belonging to said fund and believing they were paying the same to the duly authorized officer to receive the same; and,

Failure of County Auditor to pay over collection.

Whereas, afterwards said County Auditor proved to be a defaulter and failed to account to said County for a large amount of the School Fund aforesaid, and having failed to pay to the County Treasurer of said County, divers and sundry amounts of said fund paid by various borrowers thereof to said County Auditor as aforesaid; and,

Sureties not liable through limitation.

Whereas, the sureties on the official bond of said County Auditor by reason of the Statute of Limitation or other causes were held or adjudged to be not liable to said County for the various amounts involved herein and paid by borrowers of said fund to said County Auditor; and the borrowers aforesaid are liable to said County, and under the law have paid or are required to pay respectively to said County the full amount paid severally by them to said County Auditor as aforesaid; and said County has made good, to the State of Iowa, all loss sustained to the School Fund by reason of the defalcation of said County Auditor; and,

Whereas, the following named borrowers of said School Money once Fund having once paid the amount opposite their names respectively are now or have been, by reason of the facts set forth above held liable and required to pay to Madison County the said sums again to-wit:

(Name).	(Paid).	(Unpaid).	Schedule.
William Beard,.....		\$ 78.96	
W. E. Stafford,.....		\$40.48	
J. R. Sillimon,.....		\$153.70	
Martha Sturman,.....		\$571.59	
Elizabeth Thrift,.....		\$17.28	
Wm. Shay,.....	\$71.60		
Henry Evans,.....		\$66.84	
J. A. Fanrote,.....	\$12.00		
Henry Comp,.....	\$31.76		
Jennette Minton,.....		\$20.77	
George W. Smith,.....	\$44.06		
J. H. Quinn,.....	\$3.84		
Hyampsul Smith,.....		\$43.84	
William Fudge,.....	\$1.41		
Granville Compton,.....		\$11.72	
Sarah and Levi Smith,.....	\$15.37		
Mary Gillespie,.....		\$49.92	
Maria and John Arnold,.....	\$38.88		
M. V. Henry,.....		\$12.96	
S. A. Ellis,.....		\$16.55	
J. W. Fisher,.....		\$6.96	
John M. Duncan,.....		\$43.20	
J. B. Wilson,.....	\$128.64		
Anderson M. Benge,.....		\$12.40	
J. S. Bard,.....		\$30.24	
A. M. and Endosa Benge,.....		\$19.84	
Adam C. Krell,.....	\$8.64		
Amos and Hannah Chase,.....	\$26.70		
Jonathan Cox,.....	\$60.00		
W. H. H. Dabney,.....	\$452.00		

And, whereas to pay said amounts a second time after <sup>Injustice to</sup> <sub>borrowers.</sub> having paid the same to the County Auditor in the manner aforesaid is deemed a great hardship upon said borrowers and a burden they ought not under the circumstances to bear, and the Board of Supervisors under the law seem powerless to relieve them from such burden; therefore

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the Board of Supervisors of Madison County, Iowa, be and are hereby authorized and empowered <sup>Question of</sup> <sub>release to be submitted to</sub> to submit at the next general election to the qualified voters <sub>electors.</sub> of Madison County, Iowa, a proposition for and against relieving from further liability therefor respectively the bor-

rowers of said School Fund aforesaid that have not paid the amount of their liability to said County, in the sums, with interest, as shown in the recital to this act, and to refund to the borrowers of said fund aforesaid respectively, that have heretofore paid the sums for which they were liable to said County as set out in the recital to this act, the said sums without interest which they have respectively heretofore paid.

Form of  
ballot.

Sec. 2. If the proposition is so submitted those voting in favor thereof shall vote a ballot "For release and refunding" and those voting against the same shall vote a ballot "Against release and refunding" and if a majority of the votes for and against said proposition shall be for release and refunding then the Board of Supervisors of Madison County, Iowa, are hereby authorized and empowered to release from further liability to said County the borrowers of said fund aforesaid named in the recital of this act, their heirs, executors or assigns, respectively, in the amounts set opposite their names in such recital with interest, and to refund to the borrowers of said fund aforesaid named in said recital, their heirs executors or assigns respectively, the sums paid by them respectively as shown in said recital without interest.

Approved April 12th, 1890.

## CHAPTER 135.

### RELIEF OF MRS. A. NEET.

S. F. 374.

Shot in line  
of duty.

Widow left  
destitute.

### AN ACT to relieve Mrs. A. Neet of Rienbeck Iowa.

WHEREAS, on the 26th day of September, 1889, Archie Neet, a private citizen of Reinbeck, Grundy county, Iowa, was called upon by Thomas Brown, sheriff of the county and state aforesaid, to assist him in arresting two criminals, and while in the discharge of this duty the said Archie Neet was shot by one of the criminals aforesaid, and died on the 30th day of September, 1889, from the effect of the wound; and,

WHEREAS, Mrs. A. Neet, widow of the above mentioned Archie Neet, is in dependent circumstances, the death of her husband having left to her the entire support of herself and four children as follows: Birdie Neet, aged fourteen; Wm. Neet, aged twelve; Charles Neet, aged ten and Frederick Neet, aged six; and

WHEREAS, the state of Iowa through its properly appointed officer, demanded of the said Archie Neet a hazardous public service in the discharge of which he lost his life, thereby depriving his wife and children of their means of support, therefore,

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the sum of Two Thousand Five Hundred ~~22,500 appropriation for~~ Dollars be appropriated for the relief of the aforesaid Mrs. Neet and family, said money to be placed in the hands of the board of three Trustees who shall manage it free of charge paying principal and interest to Mrs. Neet and above named children as hereinafter provided.

Sec. 2. John R. Stewart I. N. Meyers and George Swan <sup>Board of trustees.</sup> of Reinbeck Grundy County Iowa are hereby constituted a board of trustees for the purpose of carrying out the provisions of this act.

Sec. 3. Within ten days after they are officially notified <sup>Trustees bond.</sup> of their appointment—the above named trustees shall file with the Clerk of the District Court of Grundy County a bond subject to his approval in the sum of Six thousand dollars each—as security for the faithful performance of their duties as hereinafter provided.

Sec. 4. When the Clerk of the District Court of Grundy County shall have approved the bonds of the trustees herein <sup>Payment on approval of bond.</sup> provided for he shall notify the state treasurer thereof,

whereupon the latter shall immediately pay to the said trustees the entire amount hereby appropriated taking their receipt therefor.

Sec. 5. Upon receipt of the money hereby appropriated <sup>Application of money.</sup> the board of trustees shall immediately place at interest the entire amount (less such sum not exceeding one hundred dollars—as may be necessary to relieve the present necessities of Mrs. Neet and family) being careful to secure therefor the highest legal rate of interest at which it can be loaned on condition that all interest be paid quarterly in advance and at once placed to the credit of Mrs. Neet and subject to her order.

Sec. 6. If it shall appear to the trustees that the interest <sup>Conditions.</sup> upon this fund will be insufficient to enable Mrs Neet to properly support herself and children—they shall upon her written request place to her credit in addition thereto such sum not exceeding twenty five dollars per quarter as she may desire *provided* that in no event shall she receive more than one hundred dollars per year in excess of the amount received as interest. In the event of Mrs. Neets death the income under the provisions of this section shall be collected and disbursed for the benefit of the above named children by their legally appointed guardian.

Sec. 7. The trustees shall administer this fund for a period <sup>Report of trustees.</sup> of six (6) years dating from the receipt of the money from the State Treasurer and shall make a written report to the Clerk of the District Court on the first day of January of each year showing all receipts and disbursements on account of said fund also amount and disposition of money in fund at date of report. At the end of their term of six (6) years they shall pay into the

In case of  
death of Mrs.  
Neet.

Death or res-  
ignation of  
trustees.

Account of  
money re-  
ceived.

Publication.

hands of Mrs. Neet (if she be alive) one third of the amount in their possession and to the properly appointed guardian of her children above named or such of them as may be alive the remaining two thirds, to be invested for their benefit during their minority and paid to them *pro rata* as fast as they attain their majority. In the event of Mrs. Neet's death occurring before the expiration of this trusteeship—her children, above named shall inherit the entire amount subject to the foregoing provisions

SEC. 8. If at any time within six (6) years one of the trustees should die or resign it shall be the duty of the others to immediately report the fact to the Clerk of the District Court together with a report of the funds and notes in their possession and if it shall appear to his satisfaction that the fund is intact he shall release the retiring member—or in case of death—his heirs and assigns from further liability under his bond and shall appoint another trustee to fill the vacancy said appointee to file a bond as provided in section 2 of this act.

SEC. 9. The trustees shall keep accurate account of all moneys received and disbursed by them under the provisions of this act and shall with every report to the Clerk of the District Court furnish vouchers for all moneys paid to Mrs. Neet or other person legally authorized to receive the same and shall be subject to the orders of the District Court the same as other Trustees. When they shall have paid to Mrs. Neet and the guardian of her children all money in their possession belonging to the fund as provided in Section 6 of this Act the county clerk shall cancel their bonds and relieve them of further responsibility

SEC. 10. This act being deemed of immediate importance shall take Effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, Newspapers published at Des Moines, Iowa.

Approved April 30th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader*, April 18 1890.

FRANK D. JACKSON, Secretary of State.

## CHAPTER 136.

## RELIEF OF F. HARBACH.

AN ACT for the relief of F. Harbach.

S. F. 186.

WHEREAS, On the 14th day of December A. D. 1887, in the District Court of the State of Iowa in and for Polk County <sup>Judgment against Harbach.</sup> two certain judgments were rendered against one Fred Harbach on the relation of one A. D. Littleton for a violation of the prohibitory statutes of said state, said violation consisting of a failure to make proper returns to the auditor as provided by law and Whereas—The sole violation of the statute <sup>Violation.</sup> consisted in returning the price of liquor sold at from \$1.50 to \$4.00 per gallon instead of giving the specific cost of each gallon sold and

WHEREAS, No intent to deceive was shown, and the violation of said statute was only technical in its nature, and

WHEREAS said Harbach has paid upon said Judgments the <sup>Payment.</sup> entire amount thereof which goes to the person upon whose relation said action was prosecuted, he having been satisfied in full, and has paid all costs of said suits, Now therefore

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That Fred Harbach be and he is hereby released <sup>Harbach released.</sup> from from all liability by reason of said two judgments having been rendered in causes Nos 8256 and 8257 in the District Court of the State of Iowa in and for Polk county upon the relation of one A. D. Littleton, and that said judgments are hereby ordered cancelled so far as any claim the state of Iowa may have thereunder is concerned and said F. Harbach is released from all claim or liability thereunder

Sec. 2. This act being deemed of immediate importance <sup>Publication.</sup> shall be deemed in full force and effect from and after its publication in the Iowa State Register and Des Moines Leader newspapers published at Des Moines Iowa said publication to be made without expense to the state.

Approved April 10, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 16 and *Des Moines Leader* April 15, 1890.

FRANK D. JACKSON, *Secretary of State.*

## SENATE RESOLUTION.

' Favoring the World's Fair of 1892 being located at Chicago.

*Be it resolved by the Senate of the State of Iowa:*

**WHEREAS:** It is proposed to commemorate the landing of Columbus four Centuries ago, by a Worlds fair to be held in 1892 in some great city in the United States; and as it is the purpose of this great bazaar to enable the citizens of all christendom to become fully acquainted with the boundless resources of our magnificent Country: and to enlighten them on its grandeur and potentialities, it is not only within the province of this body, but it is an imperative duty of the citizens of Iowa to unite their influence, their efforts and their labor in securing the location of said fair in a Western City: therefore

**Resolved,** That we the members of the Senate of the Twenty Third General Assembly of the State of Iowa emphatically declare that we favor the selection of Chicago as the city most accessible and convenient to the people of our Country. That in Chicago we recognize a truly representative American city typifying the thrift, push and advancement of the Nineteenth Century, a city that challenges the admiration of the world for its enterprise, ambition and progress and whose hearts and homes are large enough to welcome and entertain the multitude of her visitors, great as they may be, a city that stands as it were, as the Gate-way between the East and West and through which has passed the splendid civilization of this Western Country.

**Resolved:** That we urgently request our Senators and Representatives at the National Capitol to use their every effort toward obtaining the location of the Worlds fair for 1892 in the city of Chicago. That the Secretary of State be directed to send engrossed copies of these resolutions to each of our Senators and Representatives in Congress.

Passed January 16th, 1890.

## JOINT RESOLUTION No. 3.

**Memorial and Joint Resolution, Relative to the Construction of a Canal from the Mississippi River to the Illinois River at Hennepin, in the State of Illinois.**

**WHEREAS,** The question of cheap transportation by an uninterrupted water-route, between the Mississippi River and the Atlantic sea-board, by way of the great lakes, has long been one of all absorbing interest to the people of the food producing states of the Northwest; and,

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WHEREAS, The general assembly of Iowa has repeatedly memorialized congress for the construction of this water-route and urged upon congress the construction of the same; and,

WHEREAS, The construction of this canal has received more endorsement since 1844 than any other water way on the continent of America; and,

WHEREAS, A board of civil engineers has surveyed, located and approved of the construction of this water-way from Hennepin to the Mississippi River at the mouth of Rock river; and,

WHEREAS, At the water convention held September 3d and 4th, in Cincinnati, Ohio, a resolution passed said convention, urging upon congress to make an immediate appropriation therefor, now therefore,

*Be it resolved by the General Assembly of the State of Iowa:*

That our senators and representatives in congress are requested to vote for and use their active influence to effect such legislation by congress as will secure an appropriation to commence the construction of said canal at an early day, and they are also requested to vote a liberal appropriation therefor to the end that said canal may be completed and opened to the commerce of the country at the earliest possible date.

*Resolved*, That the secretary of state be, and he is hereby instructed to forthwith transmit a copy hereof to each of our senators and representatives in congress.

Approved March 11th, 1890.

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#### JOINT RESOLUTION No. 4.

To the Congress of the United States in relation to the arrears of pensions.

*Be it resolved by the General Assembly of the State of Iowa:*

That our senators and representatives in Congress be and they are hereby earnestly requested to use their best efforts to secure the repeal of the limitation contained in the arrears act of 1879, so that all invalid soldiers shall share alike, and their pensions shall begin with the date of disability or discharge and not with the date of their application.

That the secretary of state transmit a certified copy of this resolution to each of our senators and representatives in Congress.

Approved March 11th, 1890.

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SUBSTITUTE FOR JOINT RESOLUTION No. 2 relative to placing jute and sisal grass upon the free list.

*Be it resolved by the General Assembly of the State of Iowa:*

That our Senators and Representatives in Congress are earnestly requested to vigorously support and, if possible, secure the passage of a bill placing jute and sisal grass upon the free list.

That the Secretary of State be required to transmit a copy of this resolution to each of our members of Congress.

Approved March 28th 1890.

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### JOINT RESOLUTION No. 3.

Joint Memorial and Resolution Asking Congress to Enact a Law Providing for Pensioning Certain Women Enrolled as Army Nurses.

*Resolved* by the General Assembly of Iowa that our representatives in both branches of the National Congress are respectfully urged to favor the enactment of a law providing for pensioning women who, under appointment by proper authority, acted as nurses in Hospitals, Diet-Kitchens or on battle fields, and have been honorably discharged therefrom, and who, from the results of such service, and the infirmities of age, are unable to support themselves—the bill to be in substantial accord with the provisions of a bill prepared by the Pension and relief Committee W. R. C. and indorsed by the Grand Army of the Republic.

Approved March 25, 1890.

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### CONCURRENT RESOLUTION.

*Resolved: By the Senate, the House concurring;*

That the lists of ex-Soldiers and Marines authorized by Section 2, chapter 165 laws of the Twentieth General Assembly, now in the Adjutant-Generals possession be disposed of as follows:

Fifty copies to be retained by the Adjutant General for distribution to Grand Army Posts as the same may be hereafter established, and the remainder to be equally distributed among the members of this General Assembly.

**JOINT RESOLUTION AND MEMORIAL** Relative to Protecting the Lives of Miners in the Territories of the United States.

WHEREAS, there is no law giving protection to the many miners now engaged in the precarious occupation of mining in the territories of the United States; and

WHEREAS, The Hon J. F. Lacey Member of Congress from the Sixth District of Iowa has introduced a Bill to protect the lives of miners known as H. R. 3839 which provides for mine inspectors, and prescribes appliances for the safety of the miners: therefore,

*Be it resolved by the General Assembly of the State of Iowa:*

That our Senators and Representatives in Congress be and are respectfully requested to use their influence to procure the passage of H. F. 3839 introduced by Mr. Lacey of Iowa to provide for safety of miners in the territories and the appointment of Mine Inspectors.

Approved April 9th, 1890.

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**A MEMORIAL AND CONCURRENT RESOLUTION.**

Instructing and requesting Iowa Senators and Representatives in Congress to ask for an Appropriation to pay the claim of Captain Washington Galland for expenditures in raising, organizing, and subsisting recruits for the Army of the United States.

WHEREAS—It appears by duly authenticated vouchers, by proper record evidence and other proof herewith submitted, that in the year 1861, Captain Washington Galland, of Lee County, Iowa, by virtue of a commission from the Governor of Iowa, and under other and proper authority, and for the good of the service, expended and disbursed, from his own private funds and fortune, a sum aggregating Fifteen Hundred and Forty Six Dollars and Twenty One Cents—(\$1,546.21)—in recruiting, enlisting, organizing and subsisting men for the protection of the State, and for the volunteer service in the Armies of the United States, in the War of the Rebellion: and Whereas, himself and the men so recruited, enlisted and subsisted, were enrolled mustered and served in the armies of the United States:

And whereas it appears from satisfactory evidence, that the said Captain Washington Galland has never received any reimbursement or repayment for such expenditures, either from the State of Iowa, or from the General Government; therefore

*Be it resolved by the Senate of the General Assembly of the State of Iowa,—The House concurring:*

That we endorse and recommend to the General Government, that said sum of Fifteen Hundred and Forty Six Dollars and Twenty One cents—(\$1,546.21)—expended as claimed aforesaid, with interest thereon from July first 1861, at five percentum per annum, to the date of the payment to him thereof, be allowed and paid; and that our Senators in Congress are hereby instructed, and our Representatives requested, to introduce and support, in the Congress of the United States, a Bill or Resolution making appropriation for the payment of this the aforesaid equitable claim.

Resolved further that the Secretary of State is hereby authorized to furnish to each of our Senators and representatives in Congress a copy of these Resolutions.

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*Be it, Resolved by the Senate of the Twenty third General Assembly of the State of Iowa,*

That the recent afflictions of Hon. James G. Blaine, Secretary of State in the death of a beloved son and daughter; and the sad and tragic bereavement of Hon. B. F. Tracy, Secretary of the Navy in the death of his wife and daughter profoundly move the members of this body, and we hereby tender our deepest sympathy to the families thus doubly bereaved. Be it further

*Resolved*, That these resolutions be spread upon the Senate Journal; and that copies thereof be sent by the Secretary of State to the Hons. James G. Blaine and Benj. F. Tracy.

Passed Feb. 5 1890.

CERTIFICATE.

STATE OF IOWA,  
OFFICE OF SECRETARY OF STATE, }

I, FRANK D. JACKSON, Secretary of State of the State of Iowa, hereby certify that the acts and resolutions herein contained, are copied from the original rolls on file in this office, and that the same are true and correct copies thereof, except that the words enclosed by brackets [thus] have been inserted where it was evident that an omission had occurred. Words in *italics* (excepting the enacting clause, and the word *provided*, etc.,) indicate that such words are either superfluous or erroneous, in the latter case the word or words supposed to be correct follow in brackets.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the seal of the State Department at Des Moines, this first day of June, A. D., 1890.

[SEAL]

FRANK D. JACKSON, *Secretary of State.*



## FINANCIAL STATEMENT.

STATE OF IOWA.  
OFFICE OF AUDITOR OF STATE,  
Des Moines, June 1, 1890. }

HON. FRANK D. JACKSON, *Secretary of State:*

SIR:—In pursuance of the requirements of section 18, Article III, of the Constitution of Iowa, I have the honor to submit for publication with the laws of the Twenty Third General Assembly, the following statement of the receipts and expenditures of the public money for the biennial fiscal term commencing July 1, 1887, and ending June 30, 1889.

J. A. LYONS, *Auditor of State.*

By D. F. McCARTHY, *Deputy.*



## AUDITOR'S STATEMENT.

### CONDITION OF THE TREASURY.

The amount of funds in the treasury at the close of the last fiscal period, June 30, 1887, including Agricultural College mortgage bonds, was \$269,109.01, and was distributed among the several funds as follows:

General revenue .....	\$ 20,883.95
Agricultural College endowment fund .....	247,175.00
Swamp land indemnity fund .....	963.52
Permanent school fund .....	475.00
Temporary school fund .....	48.00
*Pharmacy enforcement fund .....	53.54
Total .....	\$ 269,109.01

The amount received from all sources during the fiscal period ended June 30, 1889, was \$3,450,811.00, which was distributed as follows to the several funds:

General revenue .....	\$ 3,293,579.86
Agricultural College endowment fund .....	91,196.90
Swamp land indemnity fund .....	12,768.83
Permanent school fund .....	1,016.00
Temporary school fund .....	51,029.41
Pharmacy enforcement fund .....	325.00
Total receipts .....	\$ 3,450,811.00

The receipts being added to the above balance on hand June 30, 1887, makes the amount \$8,719,920.01 to be accounted for. The disbursements during the fiscal period just ended were as follows:

General revenue .....	\$ 3,306,792.14
Agricultural College endowment fund .....	47,206.67
Swamp land indemnity fund .....	12,560.96
Permanent school fund .....	1,491.00
Temporary school fund .....	51,977.41
Pharmacy enforcement fund .....	378.54
Total disbursements .....	\$ 3,422,406.74

Leaving a balance in the treasury, June 30, 1889, of \$297,513.27, belonging to the several funds, as follows:

General revenue .....	\$ 5,181.67
Agricultural College endowment fund .....	291,165.23
Swamp land indemnity fund .....	1,166.37
Total .....	\$ 297,513.27

\*This item was erroneously reported as \$53.34 on page 8 of my last report, making the total 20 cents less than it should have been.

**STATEMENT No. I.**  
**OF RECEIPTS AND DISBURSEMENTS.**

**RECEIPTS.**

**GENERAL REVENUE -**

From State tax, 2½ mills.....	8 2,346,543.71
From interest on delinquent taxes.....	28,724.15
From insane dues from counties .....	471,862.25
From College for the Blind dues from counties.....	1,392.92
From Deaf and Dumb Institution dues from counties.....	1,926.49
From Feeble-Minded Children Institution dues from counties .....	9,876.80
From Orphans' Home dues from counties.....	53,145.05
From Warden of the Ft. Madison Penitentiary.....	14,013.34
From peddlers' licenses from counties.....	1,917.81
From sale of laws from counties .....	506.25
From insurance companies, for taxes.....	149,268.48
From Auditor of State, for fees .....	58,325.75
From Secretary of State, for fees.....	12,601.00
From Clerk of the Supreme Court, for fees .....	7,229.41
From Superintendent of Public Instruction, for fees .....	768.00
From Western Union Telegraph Co., for taxes.....	25,530.88
From Central Union Telephone Co., for taxes .....	4,800.00
From Iowa & Minnesota Telephone Co., for taxes.....	480.00
From Iowa Union Telephone Co., for taxes .....	7,219.59
From Nebraska Telephone Co., for taxes.....	630.00
From railroad companies. Commissioners' tax .....	13,578.00
From sundry insurance companies, insurance on Orphans' Home .....	14,906.67
From Gov. Larrabee, aid for Soldiers' Home from U. S. Government .....	18,984.40
From Gen. Belknap, on war claims .....	3,071.41
From C. Orcutt, Treasurer Orphans' Home, refund of building fund.....	879.15
From sale of Mississippi Island at Davenport .....	1,005.00
From sale of old furniture, etc., by custodian .....	549.31
From Secretary of State, for sale of laws .....	135.51
From Secretary of State, for sale of supplies.....	18.90
From J. C. Painter, on Shaw note, Dyer defalcation .....	450.92
From Chas. Ofe, on Rankin defalcation .....	923.00
From Gov. Wm. Larrabee, for fees.....	1.00
From unknown person, for conscience sake.....	20.00
From temporary school fund.....	51,834.41
From D. S. Sigler, financial agent, refund expense money.....	0.21
From A. J. Baker, Attorney-general, refund clerk's fund .....	17.00
From A. J. Baker, Attorney-general, refund Board of Health mileage ..	4.50
From G. L. Dobson, refund of pay for services as Chaplain Twenty-second General Assembly .....	12.00
From G. D. Darnall, refund of mileage as member Twenty-second General Assembly .....	5.00
From United States Express Co., refund overcharge of Railroad Commissioners .....	5.30
From State Librarian, refund of overcharge on supplies.....	8.00
From E. R. Hutchins, Labor Commissioner, refund of clerk's fund .....	37.01

From E. D. Carlton, Fish Commissioner, refund of expense money .....	\$ 7.50
From Thos. E. Corkhill, refund of per diem as Trustee Industrial School...	5.00
From Mrs. Marion Loomis, refund of per diem as Trustee Industrial School .....	4.00
From Fouke & Lyon, attorneys, refund of Governor's contingent to pay counsel .....	200.00
From Capital City Gas Light Co., refund of overcharge on gas bill .....	7.68
From balance in treasury June 30, 1887 .....	20,393.95
Total .....	\$ 3,313,973.81

## DISBURSEMENTS.

## GENERAL REVENUE—

By redemption of Auditor's warrants .....	\$ 3,241,603.56
By interest paid on the same .....	66,273.91
By refund of double payment of taxes to Aetna Life Insurance Co .....	914.87
By balance in Treasury June 30, 1889 .....	5,181.67
Total .....	\$ 3,313,973.81

## AGRICULTURAL COLLEGE ENDOWMENT FUND.

## RECEIPTS.

Amount received from sale of lands, etc .....	\$ 91,196.00
Amount of bonds in treasury June 30, 1887 .....	6,000.00
Amount of mortgage bonds in treasury June 30, 1887 .....	241,175.00
Total .....	\$ 338,371.00

## DISBURSEMENTS.

Amount paid D. S. Sigler, financial agent, for investment in mortgage bonds.	\$ 47,206.67
Amount of bonds in treasury June 30, 1889 .....	5,500.00
Amount of mortgage bonds in treasury June 30, 1889 .....	285,665.28
Total .....	\$ 338,371.00

## SWAMP LAND INDEMNITY FUND.

Balance in treasury June 30, 1887 .....	\$ 963.52
Amount received from United States Government .....	12,763.83
Total .....	\$ 13,727.35

## DISBURSEMENTS.

Amount paid Wapello county .....	\$ 443.36
Amount paid Jones county .....	1,825.35
Amount paid Cedar county .....	3,751.36
Amount paid Bremer county .....	520.16
Amount paid Boone county .....	50.00
Amount paid Hamilton county .....	1,537.40
Amount paid Dallas county .....	1,735.70
Amount paid Webster county .....	1,265.74
Amount paid Harrison county .....	300.00
Amount paid Montgomery county .....	1,131.82
Balance in treasury June 30, 1889 .....	1,166.37
Total .....	\$ 13,727.35

## AUDITOR'S STATEMENT.

## PERMANENT SCHOOL FUND.

Balance in treasury June 30, 1887.....	\$	475.00
Amount received on contracts, etc.....		1,010.00
Total .....	\$	1,491.00

## DISBURSEMENTS.

Amount transferred to Audubon county.....	\$	571.00
Amount transferred to Winnebago county.....		120.00
Amount transferred to Revenue to correct error made September 12, 1881, in carrying payment of Chas. Ofe note to school fund.....		800.00
Total .....	\$	1,491.00

## TEMPORARY SCHOOL FUND.

Balance in treasury June 30, 1887.....	\$	48.00
Amount received from interest on State bonds and Eads' loans.....		51,929.41
Total .....	\$	51,977.41

## DISBURSEMENTS.

Amount apportioned to counties .....	\$	51,854.41
Amount transferred to revenue to correct error made September 12, 1881, in carrying interest on Ofe note to temporary school fund.....		123.00
Total .....	\$	51,977.41

## PHARMACY ENFORCEMENT FUND.

Balance in treasury June 30, 1887.....	\$	53.54
Amount received in fines from Commissioners .....		325.00
Total .....	\$	378.54

## DISBURSEMENTS.

Amount paid Commissioners for enforcement of law.....	\$	378.54
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## RECAPITULATION OF BALANCES IN TREASURY JUNE 30, 1887.

General revenue .....	\$	5,181.67
Agricultural College endowment fund .....		201,165.23
Swamp land indemnity fund .....		1,160.37
Total .....	\$	207,513.27

NOTE.—Chap. 71, laws of 1888, amends the law so that there are now no more fines paid into the State treasury for the enforcement of the same, but go directly into the school fund in the counties where collected.

## STATEMENT No. II.

*Of the amount of warrants issued and to what charged, during the fiscal period ended June 30, 1889.*

Adjutant-general's salary .....	8	2,875.00
Attorney-general's salary .....		3,000.00
Attorney-general's per diem and expenses .....		3,497.44
Attorney-general's clerks' fund .....		1,136.80
Auditor of State's salary .....		4,216.65
Auditor of State's Deputy's salary .....		2,935.00
Auditor of State's clerks' fund .....		9,057.15
Auditor of State's Executive Council service .....		958.34
Board of Educational Examiners .....		530.50
Board of Examiners of Candidates for Mine Inspectors .....		251.68
Board of Health .....		9,957.56
Clerk of the Supreme Court's salary .....		4,216.65
Clerk of the Supreme Court's Deputy's salary .....		2,875.00
Clerk of the Supreme Court's clerks' fund .....		2,257.00
Commissioner of Labor Statistics, salary .....		2,960.00
Commissioner of Law or Statistics, expenses .....		627.73
Commissioners of Pharmacy, enforcement of law .....		1,172.40
Custodian of Public Property, salary .....		8,000.00
Custodian of Public Property, expenses .....		44,478.07
Dairy Commissioner's salary .....		3,000.00
Dairy Commissioner's expenses .....		2,516.89
District Judge, 1st District, J. M. Cusey, salary .....		4,000.00
District Judge, 1st District, C. H. Phelps, salary .....		4,000.00
District Judge, 2d District, H. C. Traverse, salary .....		4,000.00
District Judge, 2d District, Dell Stuart, salary .....		4,000.00
District Judge, 2d District, Chas. D. Leggett, salary .....		4,000.00
District Judge, 3d District, John W. Harvey, salary .....		4,000.00
District Judge, 3d District, R. C. Henry, salary .....		4,000.00
District Judge, 4th District, Chas. H. Lewis, salary .....		4,000.00
District Judge, 4th District, Geo. W. Wakefield, salary .....		4,000.00
District Judge, 4th District, Scott M. Ladd, salary .....		4,000.00
District Judge, 5th District, J. H. Henderson, salary .....		4,000.00
District Judge, 5th District, O. B. Ayros, salary .....		4,000.00
District Judge, 5th District, A. W. Wilkinson, salary .....		4,000.00
District Judge, 6th District, J. Kelley Johnson, salary .....		4,000.00
District Judge, 6th District, David Ryan, salary .....		4,000.00
District Judge, 6th District, W. R. Lewis, salary .....		4,000.00
District Judge, 7th District, A. J. Leffingwell, salary .....		1,458.34
District Judge, 7th District, Andrew Howatt, salary .....		8,175.25
District Judge, 7th District, C. M. Waterman, salary .....		4,000.00
District Judge, 7th District, W. F. Brannan, salary .....		4,000.00
District Judge, 8th District, S. H. Fairall, salary .....		4,000.00
District Judge, 9th District, Josiah Given, salary .....		4,451.38
District Judge, 9th District, Chas. A. Bishop, salary .....		520.82
District Judge, 9th District, W. F. Conrad, salary .....		5,208.32
District Judge, 9th District, Marcus Kavanagh, salary .....		4,000.00
District Judge, 10th District, C. F. Couch, salary .....		4,000.00
District Judge, 10th District, J. J. Ney, salary .....		4,000.00
District Judge, 10th District, D. J. Lenehan, salary .....		4,000.00

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District Judge, 11th District, D. D. Miracle, salary.....	8	2,916.65
District Judge, 11th District, D. R. Hindman, salary.....		1,900.71
District Judge, 11th District, John L. Stevens, salary.....		4,000.00
District Judge, 11th District, S. M. Weaver, salary.....		4,701.65
District Judge, 12th District, John B. Cleland, salary.....		3,124.98
District Judge, 12th District, John C. Sherwin, salary.....		1,666.66
District Judge, 12th District, Geo. W. Ruddick, salary.....		4,524.00
District Judge, 13th District, L. O. Hatch, salary.....		4,000.00
District Judge, 13th District, O. T. Granger, salary.....		3,958.34
District Judge, 13th District, L. E. Fellows, salary .....		1,041.65
District Judge, 14th District, Geo. H. Carr, salary.....		4,000.00
District Judge, 14th District, Lot Thomas, salary .....		4,524.00
District Judge, 15th District, A. B. Thornell, salary.....		4,000.00
District Judge, 15th District, Geo. Carson, salary.....		4,000.00
District Judge, 15th District, H. E. Deemer, salary.....		4,000.00
District Judge, 15th District, C. F. Loofbourrow, salary.....		3,483.34
District Judge, 15th District, N. W. Macy, salary.....		1,041.65
District Judge, 16th District, J. P. Connor, salary.....		4,000.00
District Judge, 16th District, J. H. Macomber, salary.....		4,000.00
District Judge, 17th District, Geo. M. Gilchrist, salary.....		1,041.65
District Judge, 18th District, J. D. Griffin, salary.....		4,000.00
District Judge, 18th District, J. H. Preston, salary.....		4,000.00
Executive Council contingent fund.....		507.62
Fish Commissioner's salary.....		2,400.00
Fish Commissioner's expenses.....		2,520.33
Governor's salary and "room rent".....		0.000.00
Governor's Private Secretary's salary.....		2,875.00
Governor's contingent fund.....		5,861.83
Governor's contingent fund to pay counsel .....		3,240.76
Governor's Executive Council service.....		958.33
Janitors' salaries.....		12,180.00
Librarian's and Assistant Librarian's salaries.....		4,983.26
Mine Inspectors' salaries.....		6,890.00
Mine Inspectors' expenses.....		2,753.38
Railroad Commissioners' and Secretary's salaries.....		20,187.50
Railroad Commissioners' expenses.....		13,358.65
Secretary of State's salary.....		4,310.65
Secretary of State's Deputy's salary.....		2,875.00
Secretary of State's clerks' fund.....		4,304.79
Secretary of State's Executive Council service.....		958.37
Secretary of State's Land Office clerk's salary .....		2,450.00
Superintendent of Public Instruction's salary .....		4,216.65
Superintendent of Public Instruction's Deputy's salary .....		2,875.00
Superintendent of Public Instruction's clerks' fund.....		2,378.16
Superintendent of Public Instruction's traveling expenses.....		365.58
Superintendent of Public Weights and Measures.....		60.50
Supreme Judge, Austin Adams, salary.....		2,000.00
Supreme Judge, J. M. Beck, salary.....		7,666.65
Supreme Judge, Josiah Given, salary.....		1,100.00
Supreme Judge, O. T. Granger, salary .....		1,000.65
Supreme Judge, J. R. Reed, salary .....		6,000.05
Supreme Judge, G. S. Robinson, salary .....		5,000.05
Supreme Judge, J. H. Rothrock, salary .....		7,000.65
Supreme Judge, W. H. Seevers, salary.....		6,000.00
Supreme Court contingent fund.....		1,730.28
Supreme Court Reporter's salary .....		4,000.00
Treasurer of State's salary .....		4,216.65
Treasurer of State's Deputy's salary.....		2,913.00
Treasurer of State's clerks' fund .....		2,203.00
Treasurer of State's Executive Council service.....		958.33
Veterinary Surgeon's per diem and expenses.....		5,882.18
Agricultural College, improvements and repairs.....		9,000.00

Agricultural College, Trustees' per diem and expenses.....	8	2,719.43
Agricultural College, experimentation in agriculture and horticulture.....		3,000.00
Agricultural College, Financial Agent's salary and expenses.....		2,082.52
Agricultural Society, State Society improvements.....		9,500.00
Agricultural Societies; County Societies, State aid.....		38,437.95
Arrest of fugitives .....		9,030.52
Blind College, improvements and repairs .....		10,000.20
Blind College, support and current expenses.....		52,919.67
Blind College, clothing .....		1,021.28
Blind Industrial School Commission.....		707.71
Benedict Home, support.....		2,700.00
Capitol Building Improvements, steps, etc.....		7,101.07
Deaf and Dumb Institution, improvements and repairs.....		13,350.00
Deaf and Dumb Institution, support and current expenses.....		115,110.00
Deaf and Dumb Institution, clothing.....		1,821.07
Deaf and Dumb Institution, Trustees' per diem and expenses.....		2,130.83
Des Moines River Lands, refund to purchasers.....		109.48
Feeble-Minded Children Institution, improvements and repairs .....		33,000.00
Feeble-Minded Children Institution, ordinary expenses.....		22,000.00
Feeble-Minded Children Institution, support.....		84,956.00
Feeble-Minded Children Institution, clothing .....		11,067.61
Feeble-Minded Children Institution, Trustees' per diem and expenses.....		1,070.50
Historical Society, expenses.....		2,000.00
Horticultural Society, expenses.....		2,500.00
Insane Hospital at Clarinda, improvements .....		117,608.00
Insane Hospital at Clarinda, support.....		20,511.98
Insane Hospital at Clarinda, Trustees' per diem and expenses.....		2,856.53
Insane Hospital at Independence, improvements and repairs.....		27,235.75
Insane Hospital at Independence, support and current expenses.....		260,802.00
Insane Hospital at Independence, contingent fund .....		3,000.00
Insane Hospital at Independence, Trustees' per diem and expenses .....		2,030.81
Insane Hospital at Mt. Pleasant, improvements and repairs.....		55,000.00
Insane Hospital at Mt. Pleasant, support and current expenses.....		253,280.00
Insane Hospital at Mt. Pleasant, contingent fund .....		6,250.00
Insane Hospital at Mt. Pleasant, Trustees' per diem and expenses .....		1,261.40
Insane illegally confined.....		145.14
Insane, non-resident, removal of .....		908.37
Interest on school fund loans.....		51,357.12
Industrial School, Boys', improvements and repairs .....		10,290.50
Industrial School, Girls', improvements and repairs .....		12,875.00
Industrial School, support.....		94,580.00
Industrial School, Trustees' per diem and expenses.....		1,120.90
Iowa Weather Service.....		1,918.22
Library, improvements.....		478.18
Library, books, etc.....		6,450.00
Militia.....		68,121.55
Miscellaneous expenditures.....		44,050.30
Normal School, improvements and repairs.....		14,300.00
Normal School, Teachers' salaries.....		26,250.00
Normal School, Directors' per diem and expenses.....		2,086.75
Orphans' Home, improvements and repairs.....		25,130.24
Orphans' Home, support of soldiers' orphans .....		14,658.65
Orphans' Home, support of indigent children .....		52,452.51
Orphans' Home, Trustees' per diem and expenses.....		1,141.10
Penitentiary at Anamosa, improvements and repairs .....		30,274.31
Penitentiary at Anamosa, officers and guards .....		64,607.92
Penitentiary at Anamosa, support and current expenses.....		51,884.00
Penitentiary at Anamosa, transportation of discharged convicts .....		1,130.95
Penitentiary at Fort Madison, improvements and repairs .....		6,500.00
Penitentiary at Fort Madison, officers and guards .....		55,300.08
Penitentiary at Fort Madison, transportation of discharged convicts .....		2,000.00
Penitentiaries, inspection of .....		207.18
Presidential electors.....		324.45

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Prisoners' Aid Association.....	8	1,062.50
Providential contingencies.....		5,506.72
Railroad prosecution by State.....		2,265.08
Refund of insane account, overpaid, to Adams county.....		1,011.78
Refund of Orphans' Home account, overpaid, to Allamakee county.....		1,490.99
Refund of Feeble-Minded Children account, overpaid, to Buena Vista county.....		22.95
Refund of Orphans' Home account, overpaid, to Floyd county.....		4.36
Refund of Deaf and Dumb account, overpaid, to Keokuk county.....		7.84
Refund of Orphans' Home account, overpaid, to Keokuk county.....		8.83
Refund of Feeble-Minded Children account, overpaid, to Lyon county.....		78.40
Refund of Feeble-Minded Children account, overpaid, to Muscatine county.....		15.86
Refund of Deaf and Dumb account, overpaid, to Polk county.....		30.90
Relief of Metz.....		490.00
School Journal subscriptions.....		235.13
Soldiers' Home, improvements.....		61,108.83
Soldiers' Home, officers' salaries.....		8,500.00
Soldiers' Home, support.....		50,070.00
Soldiers' monument, expenses of commission.....		105.35
State binding.....		44,225.76
State printing.....		63,491.89
Stationery contracts.....		23,493.55
Teachers' Institutes.....		9,260.00
Twenty-second General Assembly, members' salaries.....		82,500.00
Twenty-second General Assembly, officers' salaries.....		36,900.50
Twenty-second General Assembly, members' mileage.....		2,091.30
Twenty-second General Assembly, visiting committees.....		880.03
Twenty-second General Assembly, special appropriations.....		5,700.00
Twentieth General Assembly, special appropriations.....		14.15
University (Iowa City), endowment fund.....		40,000.00
University (Iowa City), support.....		42,000.00
University (Iowa City), Board of Regents' per diem and expenses.....		3,831.99
War and defense fund.....		9.10
<b>Total.....</b>		<b>82,825,004.74</b>

## TIMES OF HOLDING TERMS OF THE DISTRICT COURT, 1890-1891.

*As filed by the Judges in office of Secretary of State.*

COUNTIES.	TOWNS.	DATE, 1890.	DATE, 1890.	DATE, 1890.	DATE, 1890.	DATE, 1891.	DATE, 1891.	DATE, 1891.	DATE, 1891.
Adair . . . . .	Greenfield . . . . .	January 7	September 1	November 2	January 5	March 6	September 31	November 1	September 4
Adams . . . . .	Corning . . . . .	March 6	June 17	October 2	January 13	March 5	June 16	October 12	September 12
Allamakee . . . . .	Waukon . . . . .	January 20	April 21	September 8	January 27	April 19	September 20	October 7	September 26
Appanoose . . . . .	Centerville . . . . .	March 27	March 25	October 8	January 17	March 26	September 7	November 7	October 16
Audubon . . . . .	February . . . . .	May 13	October 13	December 14	February 16	May 24	October 12	December 13	November 15
Benton . . . . .	January . . . . .	February 30	February 26	December 12	January 27	February 5	October 30	December 31	September 26
Black Hawk . . . . .	Waterloo . . . . .	March 6	March 6	September 12	January 12	March 5	August 30	September 2	August 7
Boone . . . . .	Boone . . . . .	March 13	March 24	September 1	January 27	March 12	August 23	September 2	August 26
Bremer . . . . .	Waverly . . . . .	April 3	September 14	November 15	February 17	April 2	September 21	November 21	October 21
Buchanan . . . . .	Independence . . . . .	March 27	May 31	October 26	January 6	March 26	September 30	November 25	October 25
Butler . . . . .	Storm Lake . . . . .	March 17	August 3	October 19	January 27	March 12	August 9	October 18	September 7
Cahoun . . . . .	Allison . . . . .	April 18	October 28	December 6	February 8	April 16	October 27	December 5	September 14
Carroll . . . . .	Rockwell City . . . . .	April 20	October 26	December 14	February 16	April 17	October 28	December 13	September 15
Cass . . . . .	Carroll . . . . .	April 27	September 7	September 22	January 24	April 26	September 6	November 21	October 23
Cedar . . . . .	Atlantic . . . . .	April 14	September 8	November 2	January 4	April 13	September 7	November 1	October 3
Ceder . . . . .	January . . . . .	April 10	September 18	September 2	January 17	April 17	September 27	November 1	October 27
Cerro Gordo . . . . .	Tipton . . . . .	March 10	May 10	October 19	November 9	March 12	August 31	November 16	October 16
Cherokee . . . . .	Mason City . . . . .	April 13	October 28	December 19	January 20	March 12	August 19	November 18	October 19
Chickasaw . . . . .	Cherokee . . . . .	April 24	October 28	December 6	January 27	March 12	August 26	November 26	October 30
New Hampton . . . . .	March . . . . .	June 3	September 2	December 20	February 23	April 23	October 27	December 5	September 30
Clarke . . . . .	Osceola . . . . .	April 10	October 28	December 6	January 27	March 12	August 26	November 26	October 30
Clay . . . . .	Spencer . . . . .	April 11	September 22	December 20	January 28	April 10	October 27	December 5	September 30
Clayton . . . . .	January . . . . .	April 16	September 7	September 1	October 1	April 10	August 6	September 31	October 1
Ollinton . . . . .	Clinton . . . . .	April 14	September 8	September 9	November 18	January 13	August 4	September 7	October 17
Orawford . . . . .	Clinton . . . . .	March 6	September 17	September 1	November 1	January 3	August 16	September 31	November 17
Dallas . . . . .	Adel . . . . .	April 7	September 24	September 2	November 2	January 5	August 6	September 1	October 2
Decatur . . . . .	Bloomfield . . . . .	April 20	September 28	October 13	December 1	February 1	September 23	November 12	October 30
Delaware . . . . .	Leon . . . . .	March 6	June 31	September 9	November 10	January 10	September 30	November 8	October 30
Des Moines . . . . .	Manchester . . . . .	April 6	May 3	September 5	November 9	January 3	September 2	November 4	October 4
Dickinson . . . . .	Burlington . . . . .	May 3	October 20	December 13	January 12	February 1	September 6	November 7	October 30
Dubuque . . . . .	Spirit Lake . . . . .	March 6	May 17	October 17	November 12	December 2	September 19	November 7	October 30
Emmet . . . . .	Dubuque . . . . .	April 20	August 7	September 26	November 10	January 10	May 11	September 11	October 7
West Union . . . . .	Estherville . . . . .	March 3	August 7	September 26	November 3	January 10	April 19	September 25	October 6
Charles City . . . . .	February . . . . .	March 20	September 17	September 15	November 17	January 3	August 2	September 14	October 16
Hampton . . . . .	January . . . . .	June 17	September 22	September 11	November 1	January 16	September 16	November 7	October 22
Franklin . . . . .	March . . . . .	October 22	September 23	December 13	January 25	February 16	September 16	December 12	October 21
Fremont . . . . .	February . . . . .	April 17	October 28	December 13	January 15	February 16	September 16	December 22	October 29
Greene . . . . .	Jefferson . . . . .	April 17	October 28	December 13	January 15	February 16	September 16	December 12	October 25
Grundy . . . . .	Center . . . . .	April 10	May 7	October 26	November 26	December 6	April 6	September 24	October 5

## TIMES OF HOLDING TERMS OF THE DISTRICT COURT, 1890-1891—CONTINUED.

COUNTIES.	TOWNS.	DATE, 1890.	DATE, 1890.	DATE, 1890.	DATE, 1890.	DATE, 1890.	DATE, 1891.	DATE, 1891.	DATE, 1891.	DATE, 1891.	DATE, 1891.
Grundy.	Grundy Center	11 May	6 September	30 December	1 December	10 May	5 September	29 December	1 December	1	1
Guthrie.	Guthrie Center	2 April	14 September	6 December	24 February	2 April	13 September	21 November	21 November	23	23
Webster City.	Webster City	12 October	6 December	13 December	1 February	23 May	11 October	5 December	5 December	7	7
Concord.	Concord	24 May	12 October	6 December	15 December	23 May	11 October	12 December	12 December	14	14
Eldora.	Eldora	24 May	12 October	13 December	15 December	20 January	16 August	24 October	24 October	19	19
Hardin.	Hardin	6 March	17 August	25 November	3 January	5 March	16 August	24 November	24 November	2	2
Harrison.	Logan.	6 March	18 August	26 November	3 January	5 March	16 August	24 November	24 November	14	14
Henry.	Mc. Pleasant	6 March	18 August	26 November	13 March	16 June	15 October	25 December	25 December	17	17
Howard.	Otisco.	17 June	16 October	16 December	15 November	27 April	16 September	14 November	14 November	2	2
Humboldt.	Dakota City.	28 March	17 September	15 November	13 January	5 March	16 August	31 November	31 November	2	2
Ida.	Ida Grove.	6 March	17 September	15 November	13 January	5 March	16 August	31 November	31 November	2	2
Iowa.	Iowa	3 May	5 June	23 October	13 December	2 May	4 June	22 October	22 October	12	12
Jackson.	Marengo.	24 May	22 October	7 December	9 February	23 May	21 October	6 December	6 December	8	8
Jasper.	Macquoketa.	14 March	25 September	2 November	4 January	13 March	2 April	21 September	21 September	3	3
Jefferson.	Newton.	3 April	7 September	29 December	17 February	2 April	6 April	21 June	21 June	16	16
Johnson.	Fairfield.	6 April	7 June	2 September	8 January	5 April	18 September	21 September	21 September	14	14
Jones.	Iowa City.	14 March	19 September	22 December	8 March	13 March	13 March	21 December	21 December	7	7
Keokuk.	Anamosa.	14 March	25 September	2 December	4 January	13 March	13 March	24 September	24 September	1	1
Kossuth.	Algona.	12 October	12 October	2 November	2 November	12 October	12 October	13 December	13 December	7	7
Lee.	Koekuk.	3 May	5 October	6 December	8 March	2 May	2 May	4 October	4 October	2	2
Linn.	Fort Madison.	6 April	7 September	8 November	10 January	5 April	6 September	21 November	21 November	2	2
Louis.	Marion.	6 April	24 June	2 October	13 January	5 April	6 September	23 June	23 June	12	12
Lucas.	Wapello.	14 March	25 September	2 November	4 January	13 March	13 March	24 September	24 September	3	3
Lyon.	Chariton.	6 March	17 August	25 November	1 January	5 March	16 August	24 November	24 November	2	2
Madison.	Rock Rapids.	3 June	9 October	13 December	8 March	2 June	8 October	12 December	12 December	7	7
Mahaska.	Winterset.	11 May	21 September	30 December	1 December	6 December	5 September	20 December	20 December	1	1
Marion.	Okaloosa.	18 April	22 September	30 December	2 February	17 April	21 September	29 December	29 December	1	1
Marshall.	Knoxville.	11 May	6 September	30 December	1 October	1 October	5 September	20 December	20 December	1	1
Mills.	Marshalltown.	13 April	7 September	1 October	27 January	12 April	6 August	31 October	31 October	26	26
Mitchell.	Glenwood.	25 May	13 October	14 December	16 February	24 May	12 October	13 December	13 December	15	15
Monona.	Osage.	3 April	7 September	15 November	10 February	2 April	6 September	13 December	13 December	9	9
Monroe.	Okawa.	3 April	14 September	22 November	17 February	2 April	13 September	21 November	21 November	16	16
Montgomery.	Albia.	17 April	21 October	6 December	1 February	16 April	20 October	27 September	27 September	30	30
Plymouth.	Red Oak.	25 May	13 October	7 December	9 February	24 May	12 October	5 December	5 December	7	7
Muscatine.	Pocahontas.	14 April	8 September	9 November	18 January	13 April	7 September	8 November	8 November	8	8
O'Brien.	Pringlehar.	10 May	26 September	15 November	17 March	2 May	25 September	21 November	21 November	17	17
Osceola.	Sibley.	6 March	31 August	25 October	20 January	5 March	30 August	31 October	31 October	23	23
Page.	Clarinda.	14 April	1 September	1 November	4 January	13 March	31 January	31 December	31 December	3	3
Palo Alto.	Emmetsburg.	17 April	28 September	23 November	17 February	16 April	16 April	27 September	27 September	16	16
Plymouth.	Le Mars.	17 April	28 September	29 December	1 February	16 April	16 April	5 December	5 December	7	7
Pocahontas.	January.	6 March	17 September	8 November	10 January	10 January	10 January	23 September	23 September	14	14
Des Moines.	January.	6 April	7 September	8 November	10 January	10 January	10 January	6 September	6 September	9	9
Polk.	Council Bluffs.	14 April	1 September	2 November	4 January	13 March	31 January	31 December	31 December	1	1
Pottawattamie.	Avoca.	14 April	22 September	23 November	25 February	13 March	3 April	21 September	21 September	24	24
Poweshiek.	Montezuma.	18 April	30 September	30 December	2 February	16 April	16 April	20 September	20 September	20	20
Ringgold.	Mount Ayr.	10 April	21 September	15 November	15 November	24 February	24 February	14 November	14 November	23	23

Sac.....	Sac City.....	January 27	April 7	September 7	November 22	January 24	April 6	September 6	November 21
Scott.....	Davenport.....	January 14	April 15	September 15	November 9	January 18	April 13	September 14	November 8
Sioux.....	Harlan.....	January 14	April 11	September 11	November 2	January 4	April 13	September 13	November 1
Shelby.....	Orange City.....	January 13	April 14	September 14	November 1	January 1	April 12	September 12	November 7
Story.....	Toledo.....	January 19	May 5	September 19	November 1	January 3	May 23	September 18	November 9
Tama.....	Tama.....	January 17	May 17	September 20	November 20	January 24	May 16	September 11	November 28
Union.....	Bedford.....	January 24	May 24	September 20	November 20	January 24	May 16	September 11	November 28
Afion.....	Afion.....	January 17	April 17	September 15	November 15	January 10	April 19	September 11	December 7
Van Buren.....	Keosauqua.....	January 20	April 17	September 28	October 6	January 16	April 16	September 6	November 14
Wapello.....	Otumwa.....	January 6	March 7	August 17	November 25	January 3	February 27	October 6	November 5
Warren.....	Indiana.....	January 7	April 1	September 11	November 25	January 25	April 6	September 16	November 16
Washington.....	Washington.....	January 18	April 22	September 22	December 30	January 5	April 5	September 31	November 1
Wayne.....	Wayne.....	January 6	March 10	October 19	December 30	January 2	April 17	September 21	December 1
Weber.....	Corydon.....	January 17	April 28	September 28	November 20	January 27	April 16	September 16	October 18
Winnebago.....	Fort Dodge.....	January 3	May 12	September 12	November 8	January 24	February 1	September 27	November 28
Winneshiek.....	Forest City.....	January 11	May 26	September 22	December 22	January 22	March 1	September 11	December 14
Woodbury.....	Decorah.....	January 6	March 17	May 17	August 19	January 25	February 5	May 16	November 21
Worth.....	Souix City.....	January 17	April 28	October 28	December 20	January 15	February 27	August 18	August 24
Wright.....	Northwood.....	January 13	March 24	September 24	November 1	January 10	December 16	October 27	December 21
	Clarion.....								

## STATE OF IOWA--88:

I HEREBY CERTIFY that the foregoing is a full, true and complete list of the times of holding the District Courts in the State of Iowa for the years 1890 and 1891, as shown by the orders of the Judges of said Courts; or, as shown by the order of the Chief Justice of the Supreme Court, now on file in my office, as required by section 6, chapter 134, Laws of the Twenty-first General Assembly, and section 165, Code of 1877.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Seal of the Secretary of State of the State of Iowa, at Des Moines, this 16th day of November, A. D. 1890.

[SEAL.]

FRANK D. JACKSON,  
Secretary of State.



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